File No. 224

1928.

Collection No.

Office of the Resident
at Mysore

Pros. Serial Nos. 57 to 89
6

Subject.

Factories Rules

Previous References.

Later References.

S.N.64 xxxxxxx Endorsement No.2527-B-29-dated the 28th May 1929 from the District Magistrate, C & M Station, Bangalore.

(now Pus.III)

S.N.65. Letter Number nil dated the 29th May 1929 from the Secretary to the Government of Madras, Development Department, forwarding G.O.No.672, dated the 8th April 1929.

(P.U.C.V)

Collected with

S.N.66. Endorsement No.2570-B-29 dated the 30 th May 1929 from the District Magistrate, C & M Station, Bangalore

(P.U.C.VI)

(now Pus. IV)

P.U.C.I---The Government of India's ~~xxxxxxxxxx~~ suggestion may be carried out and the amendment ~~pointed out~~ mentioned may be issued, as usual, in the form of a notification, and a date fixed for objections or suggestions ~~being received~~ before final publication. Draft submitted.

P.U.C.II Copy of the Madras Government Order No.507, Dev. may be forwarded , as usual, to the District Magistrate. Draft submitted.

✓ Issued S.N. 67 (R)

P.U.C.III The report forwarded by the Inspector of factories, Civil and Military station, Bangalore does not call for any remarks. The draft notification seems correct and may be approved, and issued in the usual form.

P.U.C.IV.---As no objections have been ~~xxxxx~~ received in respect of the proposed amendment, the Notification issued as draft on the 8th February 1929 may now ~~xx~~ issue finally.

(P) S.N.43

P.U.C.V.-- Copy of the Madras Government Order No.672 dated the 8th April 1929, may be forwarded, as usual to the District Magistrate. Draft submitted

Issued S.N. 68 (S)

P.U.C.VI.---The report of the Inspector of Factories is convincing. There are really no electrical generating stations here and the Madras rules ~~xxxxxxxxxxxxxxxxxxxx~~

for

for exemption are unnecessary here. The draft notification may be approved, and issued in the usual form, subject to the modification that instead of the words "in electrical generating stations" occurring in the said draft, the word "factories" may be inserted, for the reason that there are no electrical generating stations in the Station - vide paragraph 2 of the report of the Inspector of Factories.

S.N.66.A

S.N.66

W Ramachandrappa
11.6.29

(From Jaca: 48)

11/6/29

Secretary

Chief Secretary
11/6

154

Notes (48) Resdt shd see the draft notification before issue but first ~~[illegible]~~ please clear off the other papers unde consideration.

Notes (49) Issue

Notes (50) Pl see Inspector of Factories letter No. Fac.R.C.R. 9 dated the 14th May 1929. What is reference side-lined ?

#S.N.63

Notes (51) Issue

Notes (52) Issue

Notes (53) Please go into this further. What does note mean ? Surely substitution of word 'Factory' for electrical generating stations' entirely changes the whole point?

8.7.29

2nd bch

Issued Nos.6044 and 6045, dated15-7-29

S.N. 67 & 68

S.N. 67 + 68

Only the drafts noted in paras 49 and 52 have issued.

Para 56 of notes ante.

(now one II)

In the reference side-lined in S.N.63 (P.U.C.III), Section 29 should be Section 21. Please see page 14 of the Indian Factories Act, 1911, for the proviso to Section 21(1)(a)(ii).

Para 59 of notes ante.

(now P.U.C.IV)

In para 2 of S.N. 66(P.U.C.VI), the Inspector of

Factories

Factories considers that as the object of the Legislature is to take into consideration existing factories as well as those likely to arise and to be sufficiently wide in its application, similar exemption may be made applicable to t the Station. It seems therefore that the draft notification as submitted by him may issue.

Draft notn. No. 1 submitted by office and draft notns. Nos. II & III submitted by the Inspector of Factories with S.N. 63(P.U.C.III) (now II) are for publishing draft amendments to the Bangalore C &M Station Factories Rules, 1924.

Slip ⊗ (F) (page 23)

Under section 39(2) of the Indian Factories Act, 1911, a period of not less than three monthsshall be given from the date on which the draft of the proposed amendments was published for general information. So time may be given until the 15th November,1929, for receiving objection or criticism.

Draft notn. No. IV is for issuing the amendment in S.N. 43 finally. Draft notn No. V is that submitted by the Inspector of Factories with S.N. 66 (P.U.C.VI) (now IV).

(P)

C.K. Srikanta Iyer
2/8/29

2/8

Secretary

This is difficult to follow. Some p.u.c's are on the file although dealt with. Please remove them and put up the remainder with a note showing exactly what is proposed in each case.

12.8.29

Para 65 of notes ante.

S.Nos. 62 and 65 have been dealt with and now removed.

In regard to S.N. 61(P.U.C. II), it is proposed, as noted in para 48 of notes, to publish a draft amendment to Rules 49, 51, 55, and 57 of the Bangalore Factories Rules.
Draft notn.No. I submitted.

In regard to S.N. 63(P.U.C. II), it is proposed to publish draft amendments to Rules 55, 57, and 59 of the Bangalore Factories Rules. Please see para 60 of notes
Draft notns. II And III forwarded with S.N. 63 submitted.

In regard to S.N. 64(P.U.C. III), it is proposed to issue finally the draft amendment to Rule 27 proposed in S.N. 43.
Draft notn. No. IV submitted.

In regard to S.N. 66(P.U.C. IV), it is proposed to issue a notn. exempting from the provisions of Sections 21 22 and 28 of the Act a certain class of persons employed in electrical generating stations. Please see para 61 of notes
Draft notn. No. V forwarded with S.N. 66 submitted.

C.R. Srikantia Iyer
19/8/29

19/8

31.12.29

Secretary

Copy to C.O.
sent

S.Nos.69-71. Issued Notns. Nos.6,7 & 8, dated the 13th January,1930
17-1-30

Copy of d.o. & notn. no. 6 of 13-1-30 recd.
18-1-30

S.Nos. 72 & 73 Issued Notns. Nos. 9 & 10, dated the 13th January

S.N.74 | Letter No.5739-A-29, dated the 8th January,1930, from the Collector and District Magistrate, C & M Station, Bangalore.

(V) Copies of the Bangalore C & M Station Factories(amended Rules 1924, are not required, as we have got copies.

(N) + (Q) Copies of Notns. at S.Nos.72 & 73 may be forwarded to the Govt. of India.

Drafts submitted for approval.

C.S. Srikantia Ayer 22/1/30 — V.S. 25/1

S.N.75 & 76. | Issued Nos.728 & 729, dated the 24th January, 1930.

S.N.77 | Letter No.L943, dated the 12th February,1930, from the Govt. of India, Dept. of Industries & Labour.

(T) (H) (S) Please see S.Nos.66 & 67 of Coorg File No.103 of 1919.

(S) A copy of S.N.66 of that file has not been given to this office, but has been sent to the Collector of the C & M Station of Bangalore with S.N.67 of that file.

(T) The Tobacco Manufacturers, India, Ltd.,(formerly styled as the Peninsular Tobacco Co.) is a big industrial concern in the Station employing women labourers.

A copy of P.U.C. and enclosure may be sent to the Collector for favour of remarks.

Draft submitted.

C.S. Srikantia Ayer 7/3/30 — V.S. 2/3

S.N.78 | Issued No.2159, dated the 11th March, 1930.

I S.N.79 Letter dated the 19th March,1930, from the Govt. of Madras, Development Dept.

II S.N.80 Letter dated the 22nd March,1930, -----do-----do-----

Draft submitted.

C. Srikantia Iyer
27/3/30

VG
28/3

S.N.81 Issued No 2853 & 31. 3. 30

S.N.82 Endt. No.1227-B 30, dated the 29th March,1930, from the Collector, C & M Station, Bangalore.

E (S) (N) (W)

Please see S.Nos.77,77/a and 78.

The Inspector of Factories considers in the circumstances set out by him that the appointment of a separate Woman Factory Inspector for the Station is unnecessary.

Submitted for information.

C. Srikantia Iyer
4/4/30

a file with
small nos
Nos 82, 83 & 84
file with

To Facts from
[illegible]
[illegible]
[illegible]

P.U.C.

From the Madras Govt. No. 1091 Devt dated 26-5-30

Draft endt submitted.

(Main file has not been returned from Records)

P.U.C.
7-8-30

8/8

S.N.82 Puc I

From the District Magistrate, C. & M. Station, Bangalore, Endorsement No.1227-B-30, dated the 29th March, 1930.

S.N.83 Puc II

From the District Magistrate, C. & M. Station, Bangalore, Endorsement No.2067-B-30, dated the 1st May, 1930.

S.N.84 (page 2) Puc III

From the District Magistrate, C. & M. Station, Bangalore, Endorsement Ref.No.2154-B-30, dated the 13th May, 1930.

P.U.C.I (E) (G) (F)

S.N.77, 77(a) and 78.

The question for consideration in this is the appointment of salaried Women Factory Inspectors and Welfare Workers in the C. & M. Station. The Inspector of Factories reports that there are 817 women workers and they are employed in The Tobacco Manufacturers(India) Ltd., Bangalore. As the company has a dispensary in its compound and engaged a nurse to look after the children of the women, the Inspector is of opinion that no special Woman Factory Inspector is necessary. This view may be agreed to and no further action is called for.

P.U.C.II.

S.N.69 (Q)
S.N.70 (W)
S.N.71 (D)

This covers 3 notifications Nos.6, 7 and 8.dated the 13th January, 1930. The date by which objections, if any, are to be received expired on 15th April, 1930. No objections have been received.

(Q)

As regards Notification No.6, reference has been made to rules 49 and 51 in addition to rules 55 and 57. The former set of two rules apply to Coorg and not to C. & M. Station, and separate action has been taken in tha regard in C. O.

S.N.61 (O)

In the draft amendments now submitted the Factory Inspector has combined the three notifications into two. It is perhaps better to further combine the two into one; necessary pencil alterations have been made accordingly in the draft submitted by the Inspector of Factories.

In

(Q) S. IV. 70 / 1/2

(Z) S. N. 55/9

(N) S. N 68 13/9

In rule 55 (1) as originally published the following words were present " obtain an application signed by all of them " as in Madras rule 56(1) contained in G.O.148 Dev. dated 25th January 1929. This rule as well as rules 57,58, and 58-A of the Madras rules have since been amended as will be seen from G.O. No 1065 Dev dated 25th June 1929. These rules have been adopted in framing the final amendments now submitted by the Inspector of Factories. This accounts for the change noticed above. There appear to be no objection to the omission of the words referred to.

Draft submitted,

P.U.C.III

(V) 77

(X) S. N. 28 (a)

(C) (L)

The Inspector of Factories proposes that the amendments to rules 66, 24 and 25 of the (X) Station Factory Rules may be made on the lines adopted by the Madras Govt. The suggestion appears to be prima facie unobjectionable, for the reasons explained by him. Public opinion may be invited as usual.

Draft submitted.

A draft letter to the Govt of India forwarding two copies of the rules as finally issued is also subd.

K.M. Vasudevan
31. 5. 30

(79) The 3 drafts may issue

11/8

12.8.30

13/8

S.N.85. Issued No. 90 dated 21-9-30.

S.N.86. Issued No. 91 dated 21-9-30.

S.N.87. Issued No. 6663 dated 25-9-30.

Pre.

S.N.88. From Revd. Mother Superior, Good Shepherd Convent, C & M Station, Bangalore, dated 24-9-30.

80

Remarks of the Hon'ble the Resident on the petition.

"Please put up case. Exempt if possible"

sd/- R.C.B.
25-9-30

84

The Revd Mother Superior of the Good Shepherd Convent in the C & M Station, Bangalore has applied for the exem-ption of the Press run in the premises of the Convent from the provisions of the Indian Factories Act, 1911. It is not clear whether the exemption should be from the entire provisions of the Act as it would appear from the request that the Inspector of Factories may be directed not to bring the said press under the Act or exempt from the provisions of the Act relating to health, sanitation, hours of employment and maintenance of registers of employees etc. The grounds of the application are set out in sub-paras (a) to (g) of para 5 of the petition and the provisions already existing in the convent to meet certain requirements of the Act and the rules framed thereunder are also indicated therein.

The provisions for exempting factories under the Act are contained in Chapters VI of the Act which lay down in sections 30, 32, 32A and 35 the conditions and the extent to which exemption may be granted by the Local Govt. subject generally to the control of the Governor-

General in Council. The general power to exempt from the Act is contained in section 56 thereof but such power appears to be restricted to cases of public emergency and that too to the extent and for the period deemed fit by the Local Government. Such exemption can apparently be granted only in case of emergency which can hardly be established in this case.

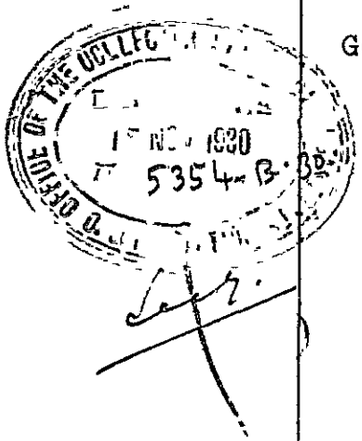
Before however the petition is further considered, it is submitted that it may be referred to the Collector Civil and Military Station for remarks whether the request in the petition may be granted and if so to what extent and subject to what conditions, if any.

Draft submitted for consideration.

Sd/- K.M. Vasudevan.
6-11-30.

(B.2)

We may perhaps consult the Collector and District Magistrate U.O. I am not sure that this case cannot be regarded as one of public emergency in view of the fact that the Press is maintained mainly for the purpose of teaching some industries to the orphan girls of the Convent. I understand that Missions and other religious and Educational institutions in some of the Provinces of India equipped with presses and workshops, etc., are exempted from the provisions of the Indian Factories Act, and if necessary this case may be sent up to the Government of India for a decision.



11.XI.30

Pl. consult Collector U/o

13.11.30

To

The Collector, C & M Station, U.O.

U.O. No 8722
dt 14.11.30.

K.M. Vasudevan
14.11.30.

(83)

I would submit that the grounds urged by the Comm authorities for exemption from the act are really very little weight.

(a). The press is a business concern, and the Comm people take up a considerable amount of work. They tenders last year for our municipal printing contract for the year.

(b). There are two Indian seamen working in the press: has the occasional visits of the factory inspector (the Govt Supply) can adversely effect the welfare of the girls. I cannot see.

(c & d.) They can easily be exempted from any special sections of the act regarding sanitary arrangements.

(e & f) Then why object to inspection?

(g). They are objecting to the authorities coming to inspect!

Confidentially, any real reason for objecting to exemption is that I constantly hear accounts (which I cannot of course prove) that the girls in the press are

not treated with the care that is then
due. and that the statement that they
are unfit if they desire to do so is far
from true. I think it would be
the interests of the correct authorities
themselves that they should be able to
refute such rumours by referring people
to the Inspector of Factories.

Finally I draw the Secretary of the
Act dealing with exemptions contemplates
exemption in a case such as this.

I attach a note on the subject
from the Inspector of Factories

[illegible]
21.11.30.

Secy Yo

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
22 NOV. 1930
Regd. No. 11911
File No.

DEPT.
BRANCH.

Section. File No.

Heading. Serial No

NOTES.

Pros. 19 Nos.

Subject.

Notes and Orders.

Submitted to the Collector.

It is evident from the petition that the Convent authorities desire their press to be exempted from the entire provisions of the Factory Act

I have scrutinized the various grounds on which an exemption is sought. They seem by no means consistent, as shown below:-

1. It is stated that the Press is not a business concern, yet it is admitted that a little income is derived from it. It is a known fact that the Convent authorities advertise and undertake all kinds of job works.

2. The Press is said to have been opened to teach the girls some trade; yet only 28 girls are employed and they too are not forced to work against their wishes. The Press cannot, in my opinion, be classified with the other kinds of technical education imparted in some institutions, as in a workshop or weaving class especially when it is for girls to whom,

S. I.

MGIPC—S1—1852(G1) DCF—(G-1140)—5-1-28 5,00 000.

whom, at any rate, a knowledge of this sort of work is not essential to promote their future welfare or career. If the girls are not forced to work, I do not understand how outside orders could be executed with any promptness.

3. It is adduced that grown up girls are employed and that it is not conducive to their future welfare if their names are made public or be amenable to outside influence; yet men are employed as foremen and they are to supervise the work of the girls. Any one could also enter the Press to place orders, as it is situated apart from the Convent and in a separate premises. It is not necessary that the individual names of employees should be divulged in Factory returns. As regards their other desire that the girls should not be amenable to public influence, I believe that the Act itself is meant only for the welfare of the employees. Though the girls receive no wages(as in the case of jails) they are to be considered as employees under Section 2 (2) of the Factory Act and it is but fair that these orphan girls, who probably have no choice of their own, should not be denied the privilege of expressing their demands regarding hours of work and employment under Section 55 and 56 of the Amended Rules.

4. No objection is raised to the educational authorities and others inspecting the state of their press at any time, yet a factory inspector is objected to in carrying out his legitimate duty of such an inspection.

Under Section 2(3)(a) of the Act any premises wherein more than 2o persons are employed at any one time is to be considered a factory and there is no provision for such a premises being totally exempted from the Act. The request of the Convent authorities

authorities regarding lavatory and drinking water arrangements may, however, under Section 50 of the Act, receive some consideration for exemption.

20.11.20

MSR/20-11.

from para 83 ante (85)

Please see the remrks of the Collector, C & M Station and the note of the Inspextor of Factories enclosed. The Collector does not seem to be disposed to recommend the exemption of the Press maintained by the Good Shepherd Convent from the provisions of the Factories Act under section 56 thereof. The extent to which he considers exemption might be given, relates to only any special section of the Act regarding sanitary arrangements. The Inspector of Factories, however, suggests that the request of the Convent Authorities regarding lavatory and drinking water arrangements may, under section 50 of the Act, receive some consider ation. Section 50 relates to appeals from the orders of the Inspector of Factories and the sections referred to therein does not relate to arrangements for water supply for drinking mentioned by the Inspector. Exemption as regards lavatory arrangements can however be granted under §13 of the Act. It is for orders how far the request of the Conv -vent authorities may be granted.

(F)

R.M. Vasudevan
27.11.30

(86)

The Revd. Mother Superior may perhaps be informed that the Resident regrets that there is no provision in the Act under which he can grant her request for the total exemption of the Convent press from the Factories Act but that he will be prepared to consider any application submitted through the proper channel (i.e. the Inspector of Factories) for any special exemptions relating to sanitary arrangements etc., permissible under the Act which the Convent authorities consider to be necessary.

30.XI.30

Resd.
1/12

Para 86 ante

Draft submitted.

K.M. Vasudevan
2.12.30

6.12.30

S.N.89.
S.N.90.

Issued No. 9462 dated 10-12-30.

From the Dt Magistrate, C & M Station, Bangalore,
No.5607-B-30, dated 5-12-30.

In notification No.91 dated 21-8-30, the time for the receipt of ~~any~~ objections or suggestions was fixed as the 1st December, 1930. The Dt Magistrate, C & M Station now reports that no objections have been received so far. The Notification may therefore be confirmed. Draft submitted.

Two copies of the final notification may be forwarded to the Govt of India as usual. Draft letter submitted.

K.M. Vasudevan
12.12.30

19.12.30

Issued No.5 dated 7-1-31.
Issued No.71 dated 7-1-31.

Sectt. II-14—3,000—7-11-28.

GOVERNMENT OF MADRAS

FORT ST. GEORGE,
~~MADRAS~~,

8th April 1929.

From

A.McG.C. TAMPOE ESQ., I.C.S.,

SECRETARY TO THE GOVERNMENT OF MADRAS,
Development DEPARTMENT.

To

THE Hon'ble Resident in Mysore,
BANGALORE.

SIR,

I am directed to forward the enclosed proceedings of the Madras Government, No. 261, , dated the 12th February 1929

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary.

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 261, 12th February 1929

Factories—Electrical generating stations—Exemption—Section 30 (1) (*c*) of Indian Factories Act—Notification—Published.

READ—the following paper :—

G.O. No. 1261, Development, dated 2nd August 1928.

Order—No. 261, Development, dated 12th February 1929.

The Superintendent, Government Press, is requested to publish the following notification in English and in the vernaculars in the *Fort St. George Gazette*. He is also requested to supply the Senior Translator to Government with six copies of the notification :—

NOTIFICATION.

Whereas it has been proved to the satisfaction of the Governor in Council that in electrical generating stations the work of persons employed as Stokers, Ash coolies, Turbine drivers and greasers, Switch-board attendants and Pump-men necessitates continuous production for technical reason.

The Governor in Council, in exercise of the powers conferred by clause (*c*) of sub-section (1) of section 30 of the Indian Factories Act, 1911 (Act XII of 1911), as subsequently amended, is hereby pleased to exempt the said work from the provisions of sections 21, 22 and 28 of the said Act subject to the following conditions :—

(1) The exemption shall apply only to persons employed on eight-hour shifts.

(2) In the case of exemption from section 21, sufficient time (though not a fixed period) to the satisfaction of the Inspector of Factories shall be allowed for meals.

(3) In the case of exemption from section 22, no person shall be allowed to work consecutively for fourteen days without a holiday for a whole day.

(4) In the case of exemption from section 28, the overtime for which any person is employed in a factory shall not, except in exceptional circumstances, details regarding which shall be immediately reported to the Inspector, be such as to make the hours of work exceed twelve in any one day and shall not occur more than once in three weeks.

(By order of the Governor in Council)

A. McG. C. TAMPOE,
Secretary to Government.

To the Commissioner of Labour.
" the Commissioner of Police.
" all District Magistrates.
" the Director of Public Health (through Local Self-Government Department).
" the Local Self-Government (P.H.) Department.
" the Law (Legislative) Department.
" the Superintendent, Government Press (for publication of notification).
" the Senior Translator to Government.

Copy to the Government of India (Industries and Labour Department) (with C.L.).
" Hon'ble Resident in Mysore, Bangalore (with C.L.).
" Officer in charge of Medical Store Depot, Madras.

58

[E.O.106(a).]

224/28

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, esignation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 7 May ~~April~~ 29

No. ~~4006~~ 4100 Enclosure.

Notification

A copy of the marginally* noted ~~letter, with enclosure~~, is forwarded to the District Magistrate, Civil and Military Station, Bangalore.

G.O.*No.261, dated the 12th February, 1929, from the Government of Madras, Development Department.

for Secretary to the Resident.

1212—16-3-1929—5,000—BPB.

H.R. Ramachandraya
26.4.29

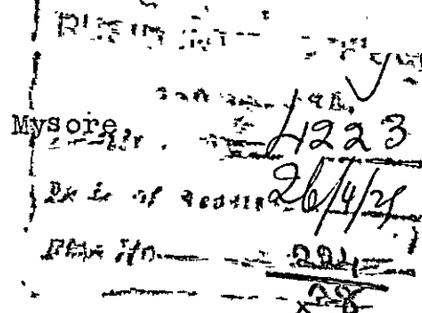
Any communication with reference to this letter should be addressed to—
The Deputy Controller, Printing,
Government of India,
Central Printing Office.
Telegrams:—PRINCO.

GOVERNMENT OF INDIA
CENTRAL PRINTING OFFICE
SIMLA _____ NEW DELHI

No. C. P. O. 81/18/28, New Delhi, the 25 April 1929.

To

The Secretary to the Resident in Mysore,
BANGALORE.



Sir,

S.&.S3

In continuation of this office endorsement No.C.P.O.81/18/28, dated the 19th March 1929, I have the honour to state that copies of the abstract of the Indian Factories Act, 1911 are available for sale at the Govt. Press, Mount Road, Madras both in Tamil and Telugu at Rs.-/1/6 and Re.-/1/- per copy respectively including postage. 25 copies in each of the above versions as required may be purchased direct from the Superintendent of that Press. The cost will be met from your contingent grant.

I have the honour to be,

Sir,

Your most obedient servant,

Offg. Deputy Controller, Printing.

Copy forwarded to the Superintendent, Govt. Press, Madras for information with reference to his letter No.D.B.22, dated the 5th April 1929.

Sd/- J.H.Golder.

Offg. Deputy Controller, Printing.

P.L.B.15.4.29.

[R.O. 106 (a).]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 8th May 1929

No. 426 Encls./.

A copy of the marginally* noted letter, ~~with enclosure~~ is forwarded to the District Magistrate, Civil and Military Station, Bangalore, for information in continuation of Residency endorsement No.3607, dated the 23rd April, 1929.

*No. C.P.O.81/18/28, dated the 20th April 1929, from the Government of India, Central Printing Office, New Delhi.

Secretary to the Resident.

212—16-3-1929—5,000—RPB.

M.R. Ramachandra
4.5.29

GOVERNMENT OF INDIA
DEPARTMENT OF INDUSTRIES AND LABOUR.

D.O.No.L1221 Dated Simla, the 17th May 1929.

Dear Mr. Pears,

I am desired to invite a reference to Rules 49 and 51, and 55 and 57 respectively of the Coorg and Bangalore Factories Rules, which lay down that a change from the system of rest interval prescribed in Section 21(1)(a)(i) to the system prescribed in Section 21(1)(a)(ii) of the Indian Factories Act and Vice versa should be given effect to only if three-fourths of the operatives concerned are in favour of such a change. These rules are based on Rules 54 and 56 of the suggested draft rules which were enclosed with Sir Atul Chatterjee's demi-official letter No. L216, dated the 6th May 1922. The Government of India are now advised that the above rules which require the consent of more than a bare majority of the employees concerned for giving effect to a change from one to the other of the two systems of rest-intervals laid down in sub-clause (a) of clause (1) of Section 21 are in conflict with the terms of that sub-clause. In interpreting this sub-clause, as distinct from its proviso, it has to be remembered that its provisions are mandatory. It provides that, in every factory, one or the other of the two systems laid down in it shall be in force unless the third system which is contained in the proviso to the sub-clause has been enforced. Whether that third system shall be enforced or not is optional but in the case of the other two systems, a request from a bare majority of the employees concerned is sufficient to

make

make it necessary to bring about a change from one system to the other. I am desired to request that, if there is no objection, ~~the~~ rules 49 and 51, and 55 and 57 respectively of the Coorg and Bangalore Factories Rules may be amended by the substitution of the words "a majority for the words "not less than three-quarters".

Yours sincerely,

A Rau

To

The Hon'ble Mr.S.E.Pears, C.S.I., C.I.E., I.C.S.,
Resident in Mysore and Chief Commissioner,
Coorg.

D.A.-nil.
H.R.

Secrt. 11-14—1,009—20-7-28.

FORT ST. GEORGE,
~~OOTACAMUND~~,

18th May 1929.

From

A.McG.C.Tampoe Esquire, I.C.S.,

SECRETARY TO THE GOVERNMENT OF MADRAS,
Development DEPARTMENT.

5245
7/5/29

To

THE Hon'ble the Resident in Mysore
(Bangalore).

SIR,

I am directed to forward the enclosed proceedings of the Madras Government, No. 507, Dev. dated the 22nd March 1929.

I have the honour to be,
Sir,
Your most obedient servant

for Secretary.

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 507, 22nd March 1929

Factories—Rule 28—Amended.

READ—the following papers :—

I

Letter from Captain N. R. UBHAYA, L.R.C.P.& S., D.P.H., Acting Director of Public Health, to the Secretary to Government, Local Self-Government (Public Health) Department, dated the 22nd August 1928, R. No. 303-2-V. S.

I have the honour to forward, for the information of Government, copies of correspondence received from the Health Officer, Cauvery-Mettur Project, regarding construction of dry latrines for the workshops and factories at Mettur.

The Health Officer suggests that a non-flush latrine may be constructed with pans made of sheet iron and painted over with tar which will be cleaned daily; as these pans are not on dry earth system, the exemption by the Government from the operation of rule 28 under section 37 (2) L of the Factories Manual for the construction of these latrines is necessary. It is requested, that under the circumstances stated in the correspondence, the exemption may be granted.

ENCLOSURES

(i)

[Letter from the Health Officer, Cauvery-Mettur Project, to the Director of Public Health, Madras, dated 21st June 1928, No. 745-M.]

In inviting a kind reference to rule 28 under section 37 (2) of the Factories Manual I have the honour to enquire whether a non-flush latrine without receptacles on the dry earth system but only with pans which have to be cleaned daily is permissible for the factory here. The rule is mandatory that all latrines 'shall' be provided with receptacles on the dry earth system.

I was not consulted when the public and private latrines in this place were designed: I had to point out certain minor defects and excessive expenditure when the matter came to my notice. But in the case of the workshops here the Factory Inspector has written to the Engineer that the design of the latrine must be approved by me and hence I have raised this point on the design.

(ii)

[Letter from the Health Officer, Cauvery-Mettur Project, to the Director of Public Health, dated 10/12th July 1928, No. 807-M.]

[*Reference.*—Your R. No. 303-1-V.S., dated 2nd July 1928.]

I have the honour to state as follows :—

(1) The pans are made of sheet iron and painted over with tar.
(2) The method to be adopted is as follows :—

The pans will be daily cleaned as many times as necessary since a separate scavenger will be on duty for the workshop latrines alone. The pans will be disinfected with phenyle each time after washing. There will be no periodical tarring but there will be periodical rinsing of the pan with crude oil to prevent rusting.

II

Endorsement No. 3004 II/28-1, Development, dated 29th September 1928.

Referred to the Commissioner of Labour for remarks.

(By order)

R. RAMASWAMI AYYANGAR,
Assistant Secretary to Government.

To the Commissioner of Labour

III

Letter from S. H. Slater, Esq., C.M.G., C.I.E., I.C.S., Commissioner of Labour, to the Secretary to Government, Development Department, dated the 15th October 1928, No. 15412-28.

[*Reference.*—Government Endorsement No. 3004-II/28-1, dated 29th September 1928, regarding the latrines in the Cauvery-Mettur Project Workshops.]

I have the honour to state that I see no objection to the proposal of the Health Officer recommended by the Director of Public Health that non-flush latrines may be constructed with pans made of sheet iron and painted over with tar. But to regularize it, a modification of Rule 28 of the Madras Factory Rules is necessary as it is at present a rigid statutory rule giving no discretion to the authorities. I recommend that a proviso empowering the concerned authority to accept any other suitable system for the prescribed one if found satisfactory, may be added to Rule 28.

I wish, however, to point out that the present rule was suggested by the Director of Public Health in his letter R. No. 107-1-H, dated 11th November 1922, communicated to me in Government Endorsement No. 2094-II/22-1, dated 2nd December 1922.

IV

Official Memorandum No. 3004 II/28-3, Development, dated 6th December 1928.

The Superintendent, Government Press, is requested to publish the appended notification in English and in the vernaculars in three successive issues of the *Fort St. George Gazette*. The Commissioner of Labour is requested to forward to Government with his remarks any objections or suggestions that are received by him up to the 12th March 1929.

2. The Superintendent, Government Press, is requested to supply the Senior Translator to Government with six copies of the notification.

(By order)

R. Ramaswami Ayyangar,
Assistant Secretary to Government.

To the Commissioner of Labour.
" the Commissioner of Police.
" all District Magistrates.
" the Director of Public Health, through the Local Self-Government (Public Health) Depart
" the Local Self-Government (Public Health) Department.
" the Law (Drafting) Department.
" the Superintendent, Government Press, (for publication of the notification.)
" the Senior Translator to Government.

Copy to the Government of India, Department of Industries and Labour, with C.L.
" Hon'ble the Resident in Mysore (Bangalore), with C.L.

Order—No. 507, Development, dated 22nd March 1929.

The Superintendent, Government Press, is requested to publish the following notification in English and in the Vernaculars in the *Fort St. George Gazette*. He is also requested to supply the Senior Translator to Government with six copies of the notification :—

NOTIFICATION.

In exercise of the powers conferred by clause (*h*) of sub-section (2) of section 37 of the Indian Factories Act, 1911 (Act XII of 1911), as subsequently amended, the Governor in Council is hereby pleased to make the following amendment to the Madras Factories (Amended) Rules, 1923, published at pages 992 to 1007 of Part I of the *Fort St. George Gazette*, dated 11th September 1923, the same having been previously published as required by sub-section (1) of section 39 of the Act :—

Amendment.

For rule 28 of the said rules, the following shall be substituted, namely :—

28. Except in factories provided with water-flushed latrines connected with a water-borne sewage system, all latrines shall be provided with receptacles on the dry earth system. Where the Health Officer concerned, viz., the Municipal Health Officer in the case of a factory situated in a municipality having a separate Health Officer and the District Health Officer in other cases, is satisfied that the provision of receptacles on this system is not possible, he may permit the use of receptacles on any other system. All latrines shall be cleaned daily and kept in a strictly sanitary condition. The contents of all receptacles shall be buried in suitable trenches or, where possible, burnt in proper incinerators. The receptacles shall be tarred inside and out as often as is necessary and at least once a quarter.

2. The Commissioner of Labour is requested to issue the necessary amendments to the Madras Factories Manual.

(By order of the Governor in Council)

A. McG. C. Tampoe,
Secretary to Government.

To the Commissioner of Labour.
,, the Commissioner of Police.
,, all District Magistrates.
,, the Director of Public Health, through the Local Self-Government (Public Health) Department.
,, the Local Self-Government (Public Health) Department
,, the Law (Legislative) Department.
,, the Superintendent, Government Press (for publication of notification).
,, the Senior Translator to Government, through the Law (Legislative) Department.

Copy to the Government of India, Department of Industries and Labour, (with C.L).
,, Hon'ble the Resident in Mysore (Bangalore), with C.L.

(True copy)

Superintendent

Letter No.Fac.RCR No.9 of 29 dated the 14th May 1929 from the Inspector of Factories, Civil and Military Station Bangalore, to the District Magistrate, Civil and Military Station Bangalore.

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Subject:- Indian Factories Act 1911(XII of 1911)-Bangalore Civil and Military Station(amended) Rules-1924- proposed amendments.

Reference:- Your endorsement No.1972-B-29 dated 2-5-29. S.N.56. Residency endorsement No.3529 dated 22-4-29

In the draft notification of the Madras Government under Section 37(1) and 37(2) (b) of the Indian Factories Act, 1911, received with the above endorsements, it is proposed to amend Rules 56, 57, 58 and 58-A of the Madras Factories (amended) Rules 1923, Rules 55,56,57 and 57-A of the Station Factories (amended) Rules 1924 correspond to the aforesaid Madras Rules. The object underlying the amendments is to ameliorate the conditions of labour, by requiring the Inspector of Factories to embark on investigation as to the application or not of the proviso to Section 21 29(1)(a)(ii) of the Factories Act, 1911, on the representation of a smaller unit of the Factory than what was hitherto the case; also that the wishes of all the operatives should be reduced to writing as to the application or not of the proviso to the said Section. It has become the policy in this Station to frame and amend the Station Rules as far as practicable on the same lines as the Madras Rules, and I therefore submit draft notifications to amend the Station Rules for favour of consideration and necessary action.

2. The Madras Government also propose to delete rules 59,64, and 65 of the Madras Rules. These rules have been framed under Section # 30 of the Act and have the effect of limiting the scope of the section in as much as they prescribe specific conditions to be observed by factories which have been exempted from the

operation of Sections 21, 22, 27 and 28; whereas the section is wide enough and invests the Government with discretion to exempt unconditionally or on such conditions as they may consider necessary, any factory from the operation of the said sections. The rules made under a statute which tend to limit the scope of the statute cannot be intra vires, because the rules cannot override the sections of the Act or be inconsistent or repugnant ther to. For these reasons corresponding sections 58, 63 and 64 of the Station Rules may be deleted. In order to make the intention of Section 30 more explicit as to the scope of its operation, rule 60 of the Madras Rules has been so amended as to require the conditions under which a factory has been exempted, to be specified in the order of exemption thereby, dispensing with the necessity of specific rules relating to exemption from the operation of any of those sections of the Act. Rule 59 of the Station Rules may be similarly amended. A draft notification is submitted for favour of consideration and necessary action.

5232
27/5/29

No.2417-B-29. Enc2.

Copy forwarded to the Secretary to the Resident in Mysore, Bangalore, for information and favour of necessary action with reference to his No.3529 dated 22-4-29.

Office of the DT. Magistrate,
C. & M. Station, Bangalore,
Dated, 22nd May 1929.

DISTRICT MAGISTRATE.

23-5.

DIST. BOARD
25 MAY 1929

THE HON'BLE THE RESIDENT IN MYSORE:-

No Dated Bangalore the 1929.

N O T I F I C A T I O N.

In exercise of the powers conferred by Sections 37(1) and 37 (2)(b) of the Indian Factories Act, 1911, as amended and applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore proposes to make the following amendments to Rules 55, 56, 57 and 57-A of the Bangalore, Civil and Military Station Factories (Amended) Rules 1924 published with the Hon'ble the Resident's Notification No. 9 dated Bangalore the 25th January 1924, as subsequently amended.

2. The draft of the proposed amendments is published as required by section 39(1) of the said Act for the information of all persons likely to be affected thereby, and under section 39(2) of the Act, notice is hereby given that the said draft will be taken into consideration on 1st October 1929. Any objection or suggestions thereto should be sent to the Inspector of Factories before that date.

DRAFT AMENDMENTS.

For the existing Rules 55 and substitute

55(i) On receiving a request from not less than one-quarter of the adult employees in any branch or department of work in any factory asking that the provisions of sub-clause (ii) of clause (a) of sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that all of them desire that the provisions of the said sub-clause should apply, he shall obtain an application signed by all of them, record the fact in the inspection book under his signature and direct that the hours of rest shall be fixed accordingly under the said sub-clause.

(ii) The procedure prescribed in sub-rule(1) shall be followed where the employees concerned desire that the provisions of the said sub-clause shall no longer apply to them.

For the existing Rule 57-A substitute:-

P.T.O.

56(1). On receiving a request from not less than one quarter of the adult male employees in any branch or department of work in any factory asking that the provisions of the proviso to clause (a) of sub-section(1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that all of them desire that the provisions of the said ~~provision~~ proviso should apply, he shall send to the Local Government through the District Magistrate, a report of such request together with an application signed by all such employees. If the Local Government sanctions such request, it shall communicate the order of sanction to the District Magistrate, who shall transmit the same to the Inspector and the latter shall communicate it under his signature to the factory. Such order shall be posted in the inspection book.

(2) The procedure prescribed in sub-rule (1) shall also be followed where the employees desire that the provisions of the said proviso shall no longer apply to them.

For the existing rule 56 Sub rule :-

57. In the absence of the entry signed by the Inspector under sub-rule 1 of Rule or of an order under sub-rule(1) of Rule 56 in the inspection book, or when such an entry or order has ceased to be in force, the provisions of sub-clause (1) of Clause (a) of sub-section (1) section 21 shall apply to the factory.

G Lock, Major
Secretary to the Resident.

Draft.

(Sd) J.W. Ward,
14-5-29.
Inspector of Factories.

"C O P Y"

SHERISTADAR. 23/V

To be published 23/5 in the Residency Orders.

To The District Magistrate, Cuddapah, Kurnool, Anantapur, with reference to his endt Ref No 2417-B-29, dated the

S.N.63

THE HON'BLE THE RESIDENT IN MYSORE.

No. Dated Bangalore the 1927

NOTIFICATION.

In Exercise of the powers conferred by section 37(1) of the Indian Factories Act, 1911(Act XII of 1911) as amended and applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore proposes to make the following amendments to the Station Factories(Amended) Rules, 1924, published with the Hon'ble the Resident's Notification No. 9 dated Bangalore the 25th January 1924.

2. The draft of the proposed amendment is published as required by section 39(1) of the said Act for the information of all persons likely to be affected thereby and under section 39(2) of the Act, notice is hereby given that the said draft will be taken into consideration on 1st October 1929. Any objection or suggestions thereto should be sent to the Inspector of Factories before that date.

DRAFT AMENDMENTS.

1. Delete Rules 58, 63 and 64 of the said Rules.

2. For rule 59 of the existing Rule, substitute:-

59. Where the Local Government exempt any factory from the provisions of section 22 of the Act on condition that provision shall be made in such factory for compensatory period of rest, such periods of rest shall be entered in Form J.

G. Lock, Major
Secretary to the Resident.

Draft

omit

(Sd) J.W. Ward
14-5-29.
Inspector of Factories

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"C O P Y"

SHERISTADAR.

To be published in the Residency Orders

To,
The District Magistrate, Commission, Bangalore
SNCB with reference to his endt. Ref. No 2417-B-29/
dated the 22nd May, 1929

CHS
21/5/29

Letter No.Fac.R.C.R. 1 of 29, dated 23rd May 1929, from the Inspector of Factories, Civil and Military Station, Bangalore, to the District Magistrate, Civil and Military Station, Bangalore,

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Subject:- Indian Factories Act 1911(Act XII of 1911) - Rules - amendment.

Reference:- The Hon'ble the Resident's Notification No.10, dated 8th February 1929.

Copies of the above notification in which notice was given under section 39(2) of the Act that it is proposed to amend Rule 27 of the Station Factories (amended) Rules 1924 were sent to the Managers of Factories in the Station and they were asked to prefer objections or make suggestions, if any, in respect of the proposed amendment, to the Inspector of Factories before 15-5-29.

As no objections or suggestions have been received, the Secretary to the Hon'ble the Resident may be addressed to the effect that the said draft Notification (No.10, dated 8-2-1929) may be issued as final.

No.2527-B-29.

Copy forwarded to the Secretary to the Resident in Mysore, Bangalore, for favour of necessary action with reference to -- Resident's Notification No.10 dated 8-2-29.

Office of the DT. Magistrate
C. & M. Station, Bangalore,
Dated, 28th May 1929.

DISTRICT MAGISTRATE.

29 MAY 1929

Sectt. II-14—3,000—7-11-

FORT ST. GEORGE,

29th May 1929.

65

From

A.McG.C. Tampoe Esq., I.C.S.,

SECRETARY TO THE GOVERNMENT OF MADRAS,

Development DEPARTMENT,

To

THE Hon'ble the Resident in Mysore,

Bangalore.

SIR,

I am directed to forward the enclosed proceedings of the Madras Government,

No 672 dated the 8th April 1929.

I have the honour to be,

Sir,

Your most obedient servant,

Secretary

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 672, 8th April 1929

Factories—Inspection staff—Redistribution of circles—Notifications—Rule 76—Amendments—Published.

READ—the following paper:—

From the Commissioner of Labour O.M. No. 14000/28, dated 7th March 1929.

Order—No. 672, Development, dated 8th April 1929.

The Superintendent, Government Press, is requested to publish the following notifications in the *Fort St. George Gazette*:—

NOTIFICATIONS.

I

In exercise of the powers conferred by sub-section (5) of section 4 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, read with section 21 of the General Clauses Act, 1897 (X of 1897), the Governor in Council is hereby pleased to make the following amendments to the notification of the Local Government in the Development Department, No. 199, dated 30th June 1922, published on page 633 of Part I of the *Fort St. George Gazette*, dated 4th July 1922, as subsequently amended, namely:—

(i) For the words "Inspectors of Factories, Northern, Central, Western and Southern Circles" in clause (ii) of the said notification, the words and figures "Inspectors of Factories, II, III, IV, V and VI Circles" shall be substituted.

(ii) For the words "Inspectors of Factories, Northern, Central, Western and Southern Circles" in both the places where they occur in item (2) of the exceptions to clause (ii) of the said notification, the words and figures "Inspectors of Factories, II, III, IV, V and VI Circles" shall be substituted.

II

In exercise of the powers conferred by sub-section (i) of section 4 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, read with section 21 of the General Clauses Act, 1897 (X of 1897), and in supersession of the notification of the Local Government in the Development Department No. 124, dated 24th March 1926, published on page 698 of Part I of the *Fort St. George Gazette*, dated 30th March 1926, the Governor in Council is hereby pleased to direct that the local limits within which the Inspectors of Factories appointed under the said sub-section except the Chief Inspector of Factories shall exercise their powers shall be as follows:—

Name of the circle.		Districts comprised.
II Circle	..	Ganjam, Vizagapatam, East Godavari and West Godavari.
III Circle	..	Kistna, Guntur, Nellore and Kurnool.
IV Circle	..	Anantapur, Bellary, Cuddapah, North Arcot, and Chittoor.
V Circle	..	South Kanara, Malabar, the Nilgiris, Coimbatore and Mettur.
VI Circle	..	South Arcot, Tanjore, Trichinopoly, Madura, Ramnad, Tinnevelly, and Salem.

The Chief Inspector of Factories shall exercise jurisdiction over the whole of the Presidency and shall be in direct charge of the I Circle comprising the districts of Madras and Chingleput.

III

In exercise of the powers conferred by sub-section (4) of section 4 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended read with section 21 of the General Clauses Act, 1897 (X of 1897), and in supersession of the notification of the Local Government in the Development Department, No. 125, dated 24th March 1926, published on pages 698-99 of Part I of the *Fort St. George Gazette*, dated 30th March 1926, the Governor in Council is pleased to appoint the Personal Assistant to the Chief Inspector of Factories, Madras, to be an Additional Inspector within the I Circle comprising the districts of Madras and Chingleput.

IV

In exercise of the powers conferred by the rules published by the Government of India in their notification in the Department of Industries and Labour (Factories) No. L-1250, dated 4th February 1925, on page 141 of Part I of the *Gazette of India*, dated 7th February 1925, the Governor in Council is hereby pleased to make the following amendment to the notification of the Local Government in the Development Department, No. 251, dated 13th August 1925, published on pages 1581-82 of Part I of the *Fort St. George Gazette*, dated 25th August 1925, as subsequently amended, namely :—

The explanation to the said notification of the Local Government in the Development Department shall be omitted.

2. The Superintendent, Government Press, is also requested to publish the following notification in English and in the vernaculars in the *Fort St. George Gazette*:—

NOTIFICATION.

In exercise of the powers conferred by clause (*k*) of sub-section (2) of section 37 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, read with section 21 of the General Clauses Act, 1897 (X of 1897), the Governor in Council is hereby pleased to make the following amendment to the Madras Factories (Amended) Rules, 1923, published with the notification of the Local Government in the Development Department, No. 245, dated 28th August 1923, on pages 992 to 1007 of Part I of the *Fort St. George Gazette*, dated 11th September 1923, as subsequently amended, namely :—

The explanation to rule 76 of the said rules shall be omitted.

(By order of the Governor in Council)

A. McG. C. Tampoe,
Secretary to Government.

To the Commissioner of Labour.
" of Police.
" All District Magistrates.
" the Director of Public Health, through Local Self-Government Department.
" the Local-Self Government Department.
" Law (Legislative) Department.
" the Superintendent, Government Press (for publication of notification).
" the Senior Translator to Government, through Law (Legislative) Department.

Copy to the Government of India, Department of Industries and Labour (with C.L.).
" Hon'ble the Resident in Mysore, Bangalore (with C.L.).

True Copy
Superintendent

Letter No.Fac.C.R. 10/29 dated 25th May 1929, from the Inspector of Factories, Civil and Military Station, Bangalore, to the District Magistrate, Civil and Military Station, Bangalore.

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Subject:- Electrical generating Stations - exemption - section 30(I) (c) of the Indian Factories Act.

Reference:- Your endorsement No.2248-B-29 dated 10-5-29.

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In the copy of the notification of the Government of Madras received with Residency endorsement No. 4100/224/1928 dated 7th May 1929 and communicated with your above reference, it is proposed to exempt under section 30(1) of the Indian Factories Act a certain class of persons employed in electrical generating Stations such as stokers, ash-coolies, turbine drivers and greasers, switch board attendants and pump men from the provisions of sections 21, 22 and 28 of the Indian Factories Act, subject to certain conditions. The work of the class of persons mentioned necessitates continuous production for technical reasons and this explains the the necessity for the proposed exemption.

2. There are no electrical generating stations in the Station and therefore the proposed exemption in the Station does not arise; but there are many rules providing for the control of operations in factories which, by reason of the absence of particular factories, are not applicable to the factories in the Station. e.g., rules relating to Textile factories. As the object of the legislature is to take into consideration existing factories as well as those likely to arise and to be sufficiently wide in its application, I consider that similar exemption may be made applicable to the Station. I submit draft notification for favour of consideration and submission to the Hon'ble the Resident, if approved.

No.2570-B-29. Enc.1.

Copy forwarded to the Secretary to the Resident in Mysore, Bangalore, for information and favour of necessary action with reference to his No.4100/224-1928 dated 7-5-29.

Office of the DT. Magistrate
Station, Bangalore,
Dated, 30th May 1929.

DISTRICT MAGISTRATE.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. Dated Bangalore the 1929.

Whereas it has been proved to the satisfaction of the Hon'ble the Resident in Mysore that in electrical generating stations the work of persons employed as stokers, ash coolies, turbine drivers and greasers, switch board attendants and pump-men necessitates continous production for technical reason.

The Hon'ble the Resident in Mysore, in exercise of the powers conferred by clause (c) of sub-section(1) of section 30 of the Indian Factories Act 1911(Act XII of 1911), as subsequently amended and as applied to the Civil and Military Station of Bangalore, is hereby pleased to exempt the work executed by the aforesaid persons from the provisions of sections 21,22, and 28 of the said Act, subject to the following conditions:-

(1) The exemption shall apply only to persons employed on eight hour shifts.

(2) In the case of exemption from section 21, sufficient time (though not a fixed period) to the satisfaction of the Inspector of Factories shall be allowed for meals.

(3) In the case of exemption from section 22, no person shall be allowed to work consecutively for fourteen days without a holiday for a whole day.

(4) In the case of exemption from section 28, the overtime for which any person is employed in a factory shall not, except in exceptional circumstances, details regarding which shall be immediately reported to the Inspector be such as to make the hours of work exceed twelve in any one day and shall not occur more than once in three weeks.

Secretary to the Resident.

(Sd) J. W. Ward.
Inspector of Factories.

:0:

"C O P Y" for Office use."

SHERISTADAR.

forwarded in the Residency Order.

To
With 50 c. copies [illegible]
The District Magistrate, Cuttack, Dangerous,

*SN. 66 (Page VI). with ref^ce to his endt: No. 2570-GB-29/ dated the 30th. May, 1929.

RES
21/6/29

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[R.O.

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 15th July 1929.

No. 6044 Enclos. /

A copy of the marginally* noted Proceedings is forwarded to the District Magistrate, Civil and Military Station, Bangalore.

No. G.O.No. 507, Dev.
dated the 22nd March 1929
from the Government of Madras, Development Department.

Secretary to the Resident.

1212—16-3-1929—5,000—RPB.

MRC 10-6-29. 10/6/29

[E.O. 106 (a).]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 15th July 1929

No. 6045 Enclos.

Proceedings

A copy of the marginally* noted ~~letter, with enclosure,~~ is forwarded to the District Magistrate, Civil and Military Station, Bangalore

S-A

G.O. No. 672

dated the 6th April 1929.

from the Government of Mx Madras, Development Department.

Secretary to the Resident.

16-3-1929—5,000—RPB.

M.R. Ramachandra Rao 10.6.29

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DEVELOPMENT DEPARTMENT.

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From

A. McG. C. Tampoe Esq., I.C.S.
Secretary to the Government of Madras.

To

The Hon'ble the Resident in Mysore.

Dated, Fort St.George, the 17th July 1929.

Sir,

I am directed to forward the enclosed proceedings of the Madras Government, No. 848-Development, dated the 13th May 1929.

I have the honour to be,
Sir,
Your most obedient servant

for SECRETARY TO GOVERNMENT.

A.S.R.17/7.

Order—No. 848, Development, dated 13th May 1929.

The Superintendent, Government Press, is requested to publish the following notification in English and in the vernaculars in the *Fort St. George Gazette*. He is also requested to supply the Senior Translator to Government with six copies of the notification :—

NOTIFICATION.

Whereas it has been proved to the satisfaction of the Governor in Council that in municipal and public concerns which supply water for public purposes the work of persons employed as engine drivers, engine cleaners, firemen, boiler coolies, operator (fitter) in chlorinating room and filter bed coolies necessitates continuous production for technical reasons :

The Governor in Council in exercise of the powers conferred by clause (*c*) of sub-section (1) of section 30 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, and in partial modification of the notification of the Local Government in the Development Department No. 37, dated the 19th December 1928, published at pages 153—156 of Part I of the *Fort St. George Gazette*, dated the 22nd January 1929, is hereby pleased to exempt the said work in the classes of factories specified above from the provisions of sections 21 and 22 of the said Act, subject to the following conditions, namely :—

(*a*) The exemptions shall apply only to persons employed on 8-hour shifts.

(*b*) In the case of exemption from section 21, sufficient time (though not a fixed period) to the satisfaction of the Inspector of Factories shall be allowed for meals.

(*c*) In the case of exemption from section 22, no person shall be allowed to work consecutively for fourteen days without a holiday for a whole day.

(2) Item 3 of the schedule annexed to Notification No. IV in the said Notification No. 37, dated 19th December 1928, shall be omitted.

(By order of the Governor in Council)

A. McG. C. TAMPOE,
Secretary to Government.

To the Commissioner of Labour.
„ the Commissioner of Police.
„ all District Magistrates.
„ the Director of Public Health through Local Self-Government Department.
„ the Local Self-Government (Public Health) Department.
„ the Law (Legislative) Department.
„ the Superintendent, Government Press (for publication of notification).
„ the Senior Translator to Government through Law (Legislative) Department.

Copy to the Government of India ; Department of Industries and Labour (with C.L.).
„ Hon'ble the Resident in Mysore, Bangalore (with C.L.).
„ Officer in charge of Medical Store Depot, Madras.

(True copy)
Superintendent

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 848, 13th May 1929

Factories—Water-pumping stations—Exemption—Section 30 (1) (*c*) of the Act—Notification—Published.

READ—the following papers :—

I

G.O. No. 1261, Development, dated 2nd August 1928.
G.O. No. 2143, Development, dated 19th December 1928.

II

Letter from S. H. SLATER, Esq., C.M.G., C.I.E., I.C.S., Commissioner of Labour, to the Secretary to Government, Development Department, dated Madras, the 26th January 1929, No. 927/29.

In my letter D. Dis. No. 1053/28, dated 6th May 1928, published in G.O. No. 1261, Development, dated 2nd August 1928, I submitted a proposal to exempt water-pumping stations from sections 21, 22 and 28 under section 30 (1) (*c*) of the Indian Factories Act. The notification as issued by Government gives exemption only from section 22, and is made under clause (*d*) of sub-section (1) of section 30.

The classification of the different kinds of work carried on in various factories is not always easy, and the decision of Government was perhaps based on the view that water-pumping cannot be regarded as a process which must be continuous for technical reasons. In practice, however, it appears that the operation is continuous, since it is impracticable, without enormous expense, to store water in the various distribution areas, and each day's requirement is met by each day's delivery. In other words, a supply must be produced every day by the operation of pumping. A shift system is, therefore, necessary. As Government are aware, shifts are almost invariably of 8 hours each, a limit of 6 hours (which is required by section 21) involving considerable additional expense. Unless Government think it justifiable to require that shifts should be of 6 hours duration, exemption from section 21 is virtually inevitable. If Government agree that it is unnecessary to insist on 6-hour shifts, I venture to suggest that a revised notification may be issued, giving water pumping stations exemption from section 21, subject to the usual condition.

III

Official Memorandum No. 377-II/29-1, Development, dated 11th February 1929.

[Letter from the Commissioner of Labour, No. 927/29, dated 26th January 1929—Factories—Water-pumping stations—Exemption from the provisions of section 21 of the Indian Factories Act.]

The Commissioner of Labour is requested to report whether he has received any representations for exemption of these factories from the provisions of section 21 of the Indian Factories Act and, if so, to forward them to Government.

(By order)

R. RAMASWAMI AYYANGAR,
Assistant Secretary to Government.

To the Commissioner of Labour.

IV

Letter from S. H. SLATER, Esq., C.M.G., C.I.E., I.C.S., Commissioner of Labour, to the Secretary to Government, Development Department, dated Madras, the 18th February 1929, No. 927/29.

[*Reference.*—Government Memorandum No. 377-II/29-1, dated 11th February 1929.]

I have not received any direct request from water-pumping stations for exemption from section 21 of the Act, probably because factory managers rarely understand the precise provisions of the law. But I have received indirect requests, in the form

of representations from the Kilpauk water-pumping station and the Tanjore water-works, to the effect that they are obliged to work continuously and to use 8-hour shifts—a system which automatically involves a departure from the requirements of section 21.

The letter from the Chairman of the Municipal Council on behalf of the Tanjore water-works says "In a course of three shifts a day, the men in one shift have necessarily to work for 16 hours together thus taking for granted the necessity for an 8-hour shift system; and indeed, without an undue increase in establishment charges, it is difficult to see how this can be avoided in any process which demands continuous production.

The Kilpauk water-pumping station also employs shifts, and has been exempted from section 22 on the ground of the continuous process involved.

My object is to regularize a practice which is already in force in all large pumping stations, and cannot be altered without causing real difficulty.

V

Official Memorandum No. 377-II/29-2, Development, dated 6th March 1929.

[*Reference*—Correspondence ending with letter from the Commissioner of Labour, No. 927/29, dated 18th February 1929. Factories—Water-pumping stations—Exemption under section 30 (1) (*c*) of the Indian Factories Act.]

The Commissioner of Labour is requested to submit for the approval of Government a draft of a notification under section 30 (1) of the Indian Factories Act, 1911, as subsequently amended, for giving effect to his proposal.

(By order)

R. RAMASWAMI AYYANGAR,
Assistant Secretary to Government.

To the Commissioner of Labour.

VI

Letter from S. H. SLATER, Esq., C.M.G., C.I.E., I.C.S., Commissioner of Labour, to the Secretary to Government, Development Department, dated Madras, the 3rd April 1929, No. 927/29.

I have the honour to submit herewith a draft notification proposing to exempt water-pumping stations from sections 21 and 22 under section 30 (1) (*c*) of the Indian Factories Act. The exemption suggested by me is of course justifiable only in the case of large concerns supplying water for public purposes. I have therefore thought it desirable to restrict the exemption to such cases and the notification is drafted accordingly.

ENCLOSURE.

Draft Notification.

In partial modification of notification No. 37 published on pages 153 to 156 of Part I of the *Fort St. George Gazette*, dated 22nd January 1929, granting certain exemptions under the Indian Factories Act, the Governor in Council proposes to issue the following amendment to the notification under section 30 of the Indian Factories Act as subsequently modified. Occupiers and managers of factories who desire to offer any suggestion thereon should forward their remarks to Government through the Commissioner of Labour before the 15th June 1929:—

Delete item 3 of Notification IV of Notification No. 37 published on pages 153 to 156 of Part I of the *Fort St. George Gazette*, dated 22nd January 1929, and add the following as item 9 to notification III of Notification No. 37:—

Class of factories exempted.	Nature of work.	Exemption from sections.	Conditions.
9. Municipal or public concerns which supply water for public purposes.	Work of persons employed as 1. Engine drivers, 2. Engine cleaners, 3. Firemen, 4. Boiler coolies, 5. Operator (fitter) in chlorinating room, 6. Filter bed coolies.	21 and 22.	(1) The exemption shall apply only to persons employed in 8-hour shifts. (2) In the case of exemption from section 21, sufficient time (though not a fixed period) to the satisfaction of the Inspector of Factories shall be allowed for meals. (3) In the case of exemption from section 22, no person shall be allowed to work consecutively for 12 days without a holiday for a whole day.

Sectt. II-14—3,000—7-11-28.

FORT ST. GEORGE,

23rd July 1929.

68 B

From

A.McG.C. Tampoe Esq., I.C.S.,

SECRETARY TO THE GOVERNMENT OF MADRAS,
Development DEPARTMENT.

To

THE Hon'ble the Resident in Mysore,

Bangalore.

SIR,

224
29

I am directed to forward the enclosed proceedings of the Madras Government, No. 1065 dated the 25th J u n e 1929.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary.

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 1065, 25th June 1929

Factories—Rules—Amended.

READ—the following papers:—

I

G.O. No. 148, Development, dated 25th January 1929.

II

Letter from the Hon'ble Mr. S. LALL, I.C.S., Deputy Secretary to the Government of India, Department of Industries and Labour to the Secretary to the Government of Madras, Development Department, dated Simla, the 10th May 1929, No. L-1221.

[Amendments to the Madras Factories Rules.]

I am directed to refer to your letter of the 8th March 1929 enclosing the proceedings of the Government of Madras, No. 148, Development, dated the 25th January 1929, regarding certain amendments to the Madras Factories Rules. These amendments propose to introduce a change in the procedure by which the alternative methods of granting rest intervals provided for in clause (*a*) of sub-section (1) of section 21 of the Indian Factories Act are to be brought into force in a factory. The effect of the change proposed will be that in future the consent of all the operatives concerned will be necessary before any change can be made in the existing practice in a factory in regard to the rest-interval. The Government of India have examined the question whether such a stipulation would be in consonance with the provisions of section 21 of the Act and they are of opinion that any rule which purports to require a unanimous decision of the employees is in conflict with sub-clause (ii) of clause (*a*) of section 21 (1), but is not in conflict with the proviso to that clause. In interpreting this section it has to be remembered that certain of its provisions are mandatory and others are optional. The section provides that in every factory, one or the other of the systems laid down in clause (*a*) *shall* be in force unless the third system which is contained in the proviso has been enforced, but it is optional whether that third system shall be enforced or not. The distinction between the clause and the proviso lies in the fact that the provisions of the clause itself are mandatory while the provision contained in the proviso is optional. In the former case a request from a bare majority of the employees concerned is sufficient to make it necessary that the rest period should be fixed under clause 21 (*a*) (ii), that is to say, there should be periods of rest at intervals not exceeding five hours of not less than half an hour each, whereas under the proviso, the local Government may stipulate that they will not sanction a request made under it unless it is supported by the unanimous wish of the operatives concerned. I am to request that, if the Governor in Council has no objection, draft rule 56, as published by the local Government with their notification of the 25th January 1929, may be revised accordingly.

Order—No. 1065, Development, dated 25th June 1929.

The revised draft of rule 56 (1) of the Madras Factories (Amended) Rules, 1923, appended to G.O. No. 148, Development, dated 25th January 1929, will be amended as suggested by the Government of India.

2. The Superintendent, Government Press, is requested to publish the appended notification in English and in the vernaculars in the *Fort St. George Gazette.* He is also requested to supply the Senior Translator to Government with six copies of the notification.

3. The Commissioner of Labour is requested to issue the necessary amendments to the Madras Factories Manual.

(By order of the Governor in Council)

A. McG. C. TAMPOE,
Secretary to Government.

To the Commissioner of Labour.
" the Commissioner of Police.
" the Director of Public Health, through the Local Self-Government (P.H.) Department.
" the Local Self-Government (P.H.) Department.
" the Law (Drafting) Department.
" all District Magistrates.
" the Superintendent, Government Press (for publication of notification).
" the Senior Translator to Government through Law (Legislative) Department.

Copy to the Government of India, Department of Industries and Labour (with C.L.).
" Hon'ble the Resident in Mysore, Bangalore (with C.L.).
" Officer in charge, Medical Store Depot, Madras.

Forwarded
(By order)

APPENDIX

NOTIFICATION.

No. 214.—In exercise of the powers conferred by sub-section (1) and clause (*b*) of sub-section (2) of section 37 of the Indian Factories Act, 1911 (Act XII of 1911), as subsequently amended, read with section 21 of the General Clauses Act, 1897 (Act X of 1897), the Governor in Council is hereby pleased to make the following amendments to the Madras Factories (Amended) Rules, 1923, the same having been previously published as required by section 39 of the first mentioned Act :—

AMENDMENTS.

For rules 56, 57, 58 and 58-A of the said rules the following rules shall be substituted, namely :—

" 56. (1) On receiving a request from not less than one-quarter of the adult employees in any branch or department of work in any factory asking that the provisions of sub-clause (ii) of clause (*a*) of sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that a majority of them desire that the provisions of the said sub-clause should apply, he shall record the fact in the inspection book under his signature and direct that the hours of rest shall be fixed accordingly under the said sub-clause.

(2) The procedure prescribed in sub-rule (1) shall also be followed where the employees concerned desire that the provisions of the said sub-clause shall no longer apply to them.

57. (1) On receiving a request from not less than one-quarter of the adult male employees in any branch or department of work in any factory asking that the provisions of the proviso to clause (*a*) of sub-section (1) to section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that all of them desire that the provisions of the said proviso should apply, he shall send to the Local Government through the Commissioner of Labour a report of such request together with an application signed by all such employees. If the Local Government sanction such request, they shall communicate the order of sanction to the Commissioner of Labour who shall transmit the same to the Inspector and the latter shall communicate it under his signature to the factory. Such order shall be posted in the inspection book.

(2) The provisions prescribed in sub-rule (1) shall also be followed where the employees concerned desire that the provisions of the said proviso shall no longer apply to them.

58. In the absence of an entry signed by the Inspector under sub-rule (1) of rule 56 or of an order under sub-rule (1) of rule 57 in the inspection book, or when such an entry or order has ceased to be in force, the provisions of sub-clause (I) of clause (*a*) of sub-section (1) of section 21 shall apply to the factory."

[H.O. 106 (a).]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 19 - 8 - 1929.

No. 7085 Enclos. 2

Proceedings

A copy/each of the marginally* noted ~~letter, with enclosure,~~ is forwarded to the District Magistrate, Civil and Military Station, Bangalore.

G.O. *No.s 848 and 1065 dated the 13th May, 1929, and the 25th June, 1929, respectively from the Govt. of Madras, Development Department.

Secretary to the Resident.

C.R.S. 30/7/29

1212—16-3-1929—5,000—RPB.

Sectt. II-14—3,000--7-11-28.

FORT ST. GEORGE,
~~xxxxxxxxxx~~

5th August 1929.

From

S.V.Ramamurty Esq. I.C.S.,
SECRETARY TO THE GOVERNMENT OF MADRAS,
Development DEPARTMENT

To

THE Hon'ble the Resident in Mysore
Bangalore

SIR,

I am directed to forward the enclosed proceedings of the Madras Government,
No 952 dated the 1st J u n e 1929

Draft submitted

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 952, 1st June 1929

Factories—Rules—Amendments—Published.

READ—the following paper :—

G.O. No. 233, Development, dated 7th February 1929.

Order—No. 952, Development, dated 1st June 1929.

The Superintendent, Government Press, is requested to publish the following notification in English and in the vernaculars in the *Fort St. George Gazette*. He is also requested to supply the Senior Translator to Government with six copies of the notification.

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of section 37 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, the Governor in Council is hereby pleased to make the following amendments to the Madras Factories (Amended) Rules, 1923, published in notification No. 246, dated 28th August 1923, and printed at pages 992 to 1007 of Part I of the *Fort St. George Gazette*, dated 11th September 1923, as amended up to date, the same having been previously published as required by section 39 of the said Act :—

Amendments.

(1) Rules 59, 64 and 65 of the said rules shall be deleted.

(2) For rule 60 of the said rules, the following shall be substituted, namely :—

"60. Where the Local Government exempt any factory from the provisions of section 22 of the Act on condition that provision shall be made in such factory for compensatory periods of rest, such periods of rest as specified in the order granting exemption shall be entered in Form J."

2. The Commissioner of Labour is requested to issue the necessary amendments to the Madras Factories Manual.

(By order of the Governor in Council)

A. MoG. C. TAMPOE,
Secretary to Government.

To the Commissioner of Labour.
,, the Commissioner of Police.
,, all District Magistrates.
,, the Director of Public Health, through Local Self-Government (P.H.) Department
,, the Local Self-Government (P.H.) Department.
,, the Law (Drafting) Department.
,, the Superintendent, Government Press (for publication of notification).
,, the Senior Translator to Government, through Law (General) Department.

Copy to the Government of India, Department of Industries and Labour (with C.L.).
,, Hon'ble the Resident in Mysore, Bangalore (with C. L.).
,, Officer in charge of the Medical Store Depot, Madras.

(Issue Copies)

Superintendent

Sectt. II-14—3,000—7-11-28.

FORT ST. GEORGE,
~~[illegible]~~

5th August 1929.

From

S.V. Ramamurty Esq., I.C.S.,

SECRETARY TO THE GOVERNMENT OF MADRAS,
Development DEPARTMENT.

To

THE Hon'ble the Resident in Mysore,

Bangalore.

Ro. 7666.
7/8/29
224
28

SIR,

I am directed to forward the enclosed proceedings of the Madras Government,

No 1090 dated the 28th J u n e 1929

I have the honour to be,

Sir,

Your most obedient servant,

V Ramamurty
for Secretary
85

Ad 8/7/29

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 1090, 28th June 1929

Factories—Cordite factories—Sections 21 and 22 of Indian Factories Act—Exemption-Notified.

READ—the following paper:—

Letter from J. GRAY, Esq., O.B.E., I.C.S., Commissioner of Labour, to the Secretary to Government, Development Department, dated Madras, the 4th June 1929, No. B-2-1471/29.

The Superintendent of the Aravankadu cordite factory requests exemption from sections 21 and 22 of the Indian Factories Act for the work of persons engaged in the the processes of manufacture of acids, recovery of acetone and steam production carried on in the factory and in support of his request states that it is essential for efficiency that there should be as great a continuity of control as possible.

The Superintendent also points out that the exemption, if granted, will regularise the system of shifts in vogue in the factory which is as given below:—

I Shift.—	
7-30 a.m. to 8-15 p.m.	24 hours interval between shifts.
II Shift—	
7-30 p.m. to 8-15 a.m.	
Working period	11 hours.
Rest interval	1½ hours.
Time taken for walking from factory gate to working place and back	½ hour.

The shift system noted above is, he states, more advantageous to the factory than a three-shift system which the employees themselves do not seem to like.

I have discussed the matter with the Superintendent and from his description of the processes connected with the manufacture of acids and recovery of acetone, I am satisfied that the nature of the work connected with these processes necessitates continuous production for technical reasons. Once the process has begun, it has to be continued until it is completed, otherwise the materials will be spoiled. I understand that the nature of work connected with steam production also necessitates continuous production for technical reasons as steam is required in the manufacture of acids and recovery of acetone.

I have the honour to recommend, therefore, that the work of persons engaged in the manufacture of acids, recovery of acetone and steam production in the Cordite Factory may be exempted from sections 21 and 22 under section 30 (1) (*c*) of the Indian Factories Act. If this proposal is approved the following amendment will have to be made to Notification III appended to G.O. No. 2143, Development, dated 19th December 1928:—

Add the following as item 9 of the schedule to Notification III appended to G.O. No. 2143, Development, dated 19th December 1928:—

Class of factories exempted.	Nature of work exempted.	Exemption from sections.	Conditions of exemption.
9. Cordite factories.	Work of persons engaged in the manufacture of acids, recovery of acetone and steam production.	Sections 21 and 22.	1. In the case of exemption from section 21, sufficient time (though not a fixed period) to the satisfaction of the Inspector of Factories shall be allowed for meals. 2. In the case of exemption from section 22, no person shall be allowed to work continuously for fourteen days without a holiday for a whole day.

Order—No. 1090, Development, dated 28th June 1929.

The Superintendent, Government Press, is requested to publish the following notification in English and in the Vernaculars in the *Fort St. George Gazette*. He is also requested to supply the Senior Translator to Government with six copies of the notification :—

NOTIFICATION.

Whereas it has been proved to the satisfaction of the Governor in Council that in Cordite factories the work of persons engaged in the manufacture of acids, recovery of acetone and steam production necessitates continuous production for technical reasons.

The Governor in Council, in exercise of the powers conferred by clause (*c*) of sub-section (1) of section 30 of the Indian Factories Act, 1911 (Act XII of 1911), as subsequently amended, is hereby pleased to exempt the said work from the provisions of sections 21 and 22 of the said Act subject to the following conditions :—

(1) In the case of exemption from section 21, sufficient time (though not a fixed period) to the satisfaction of the Inspector of Factories shall be allowed for meals.

(2) In the case of exemption from section 22, no person shall be allowed to work consecutively for fourteen days without a holiday for a whole day.

(By order of the Governor in Council)

A. McG. C. Tampoe,
Secretary to Government.

To the Commissioner of Labour.
,, the Commissioner of Police.
,, all District Magistrates.
,, the Director of Public Health, through Local Self-Government (Public Health) Department.
,, the Local Self-Government (Public Health) Department.
,, the Law (Legislative) Department.
,, the Superintendent, Government Press (for publication of notification).
,, the Senior Translator to Government, through Law (Legislative) Department.

Copy to the Government of India, Department of Industries and Labour (with C.L.).
,, Hon'ble the Resident in Mysore, Bangalore (with C.L.).
,, Officer in charge of Medical Store Depot, Madras.

(Issue copy)

Superintendent
28

[R.O.106(a).]

OFFICE OF THE RESIDENT IN MYSORE,

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

Bangalore, 19 8. 1929.

No. 7084 Enclos. 2

Encl. to p.m. G.I & II

A copy of the marginally* noted papers is forwarded

Proceedings *Nos. 952 & 1090 dated the 1st June and 28th June, 1929 from the Govt. of Madras

to the District Magistrate, C & M Station, Bangalore

sd. W.O. Sherwood Major

For Secretary to the Resident.

1212—16-3-1929—5,000—RPB.

C.V.Q. 15.8.29 W.O. 15/8

The Hon'ble the Resident in Mysore.

No. 6 Bangalore, the 13 January, 1930.

Notification.

The following draft of an amendment which it is proposed to make to the Bangalore Civil and Military Station Factories (amended) rules, 1924, in exercise of the powers conferred by clause (H) of sub-section (2) of section 37 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, is published as required by sub-section (1) of section 39 of the Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 15th April, 1930

Any objections or suggestions which may be received fr any person in respect of the said draft before the date specified will be considered.

DRAFT AMENDMENT.

In Rules 49, 51, 55 and 57 of the Bangalore Factories Rules, for the words "not less than three-quarters", the wc "a majority" shall be substituted.

o/c

Major
SECRETARY TO THE RESIDENT.

To be published in the Mysore Residency Orders.

To
The District Magistrate, Civil and Military Station,
Bangalore.

The Hon'ble the Resident in Mysore.

No Bangalore, the 13 January, 1930

Notification.

In exercise of the powers conferred by Sections 37(1) 37(2)(b) of the Indian Factories Act, 1911, as amended and applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore proposes to make the following amendments to Rules 55, 56, 57 and 57-A of the Bangalore, Civil and Military Station Factories (Amended) Rules, 1924, published with the Hon'ble the Resident's Notitication No.9, dated Bangalore, the 25th January, 1924, as subsequently amended.

2. The draft of the proposed amendments is published as required by section 39(1) of the said Act for the information of all persons likely to be affected thereby, and under section 39(2) of the Act, notice is hereby given that the sai draft will be taken into consideration on 15th April, 1930. Any objection or suggestions thereto should be sent to the Inspector of Factories before that date.

DRAFT AMENDMENTS.

For the existing Rules 55 and 57 substitute:-

55(i) On receiving a request from not less than one quarter of the adult employees in any branch or department of work in any factory asking that the provisions of sub-clause (ii) of clause (a) of sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that all of them

desire

desire that the provisions of the said sub-clause should apply, he shall obtain an application signed by all of them, record the fact in the inspection book under his signature and direct that the hours of rest shall be fixed accordingly under the said sub-clause.

(ii) The procedure prescribed in sub-rule (1) shall be followed where the employees concerned desire that the provisions of the said sub-clause shall no longer apply to them.

For the existing Rule 57-A substitute:-

56(1). On receiving a request from not less than one quarter of the adult male employees in any branch or department of work in any factory asking that the provisions of the proviso to clause (a) of sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that all of them desire that the provisions of the said proviso should apply, he shall send to the Local Government through the District Magistrate, a report of such request together with an application signed by all such employees. If the Local Government sanctions such request, it shall communicate the order of sanction to the District Magistrate, who shall transmit the same to the Inspector and the latter shall communicate it under his signature to the factory. Such order shall be posted in the inspection book.

(2) The procedure prescribed in sub-rule (1) shall also be followed where the employees desire that the provisions of the said proviso shall no longer apply to them.

For

For the existing rule 56, substitute:-

57. In the absence of the entry signed by the Inspector under sub-rule 1 of Rule 55 or of an order under sub-rule (1) of Rule 56 in the inspection book, or when such an entry or order has ceased to be in force, the provisions of sub-clause (1) of Clause (a) of sub-section (1) of section 21 shall apply to the factory.

Major,
SECRETARY TO THE RESIDENT.

To be published in the Residency Orders.

To

The District Magistrate, Civil and Military Station, Bangalore, with reference to his endorsement Ref.No.2417-B-29, dated the 22nd May, 1929.

S.N.63

The Hon'ble the Resident in Mysore.

No. 8 Bangalore, the 13 January, 1930

Notification.

In exercise of the powers conferred by section 37(1) of the Indian Factories Act, 1911 (Act XII of 1911) as amended and applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore proposes to make the following amendments to the Station Factories (Amended) Rules, 1924, published with the Hon'ble the Resident's Notification No.9, dated Bangalore, the 25th January, 1924.

2. The draft of the proposed amendment is published as required by section 39(1) of the said Act for the information of all persons likely to be affected thereby and under section 39(2) of the Act, notice is hereby given that the said draft will be taken into consideration on the 15th April, 1930. Any objection or suggestions thereto should be sent to the Inspector of Factories before that date

DRAFT AMENDMENTS.

1. Delete Rules 58, 63 and 64 of the said Rules.

2. For Rule 59 of the existing Rule, substitute:-

59. Where the Local Government exempt any factory from the provisions of section 22 of the Act on condition that provision shall be made in such factory for compensator periods of rest, such periods of rest shall be entered in Form J.

Major,
SECRETARY TO THE RESIDENT.

To be published in the Residency Orders.

To
The District Magistrate, Civil and Military Station, Bangalore, with reference to his endorsement Ref.No. 2417-B-29, dated the 22nd May, 1929.

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The Hon'ble the Resident in Mysore

No. 9 Bangalore, the 13 January, 1930.

Notification.

In exercise of the powers conferred by clause (h) of sub-section (2) of section 37 of the Indian Factories Act, 1911, as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following amendment to rule 27 of the Bangalore Civil and Military Station Factories (Amended) Rules, 1924, published with his Notification No.9, dated the 25th January, 1924 :-

AMENDMENT.

For the existing rule 27, substitute:-

"27. Except in factories provided with water flushed latrines connected with a water-borne sewage system, all latrines shall be provided with receptacles on the dry earth system. Where the Municipal Health Officer of the Civil and Military Station, is satisfied that the provision of - - receptacles on this system is not possible, he may permit the use of receptacles on any other system. All latrines shall cleaned daily and kept in a strictly sanitary condition. contents of all receptacles shall be buried in suitable trenches or, where possible, burnt in proper incinerators. The receptacles shall be tarred inside and out as often as necessary and at least once a quarter."

Major
SECRETARY TO THE RESIDE

To be published in the Residency Orders. 13/1/30

To

The District Magistrate, Civil and Military Station, Bangalore, with reference to his endorsement No.2527-B-2 dated the 28th May, 1929.

(With 50 spare copies.).

75 copies of the notification to be printed.

THE HON'BLE THE RESIDENT IN MYSORE

NOTIFICATION.

No. 9, dated Bangalore, the 13th January 1930.

In exercise of the powers conferred by clause (h) of sub-section (2) of section 37 of the Indian Factories Act, 1911, as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following amendment to rule 27 of the Bangalore Civil and Military Station Factories (Amended) Rules, 1924, published with his notification No. 9, dated the 25th January 1924 :—

Amendment:

For the existing rule 27, *substitute*—

"27. Except in factories provided with water flushed latrines connected with a water-borne sewage system, all latrines shall be provided with receptacles on the dry earth system. Where the Municipal Health Officer of the Civil and Military Station is satisfied that the provision of receptacles on this system is not possible, he may permit the use of receptacles on any other system. All latrines shall be cleaned daily and kept in a strictly sanitary condition. The contents of all receptacles shall be buried in suitable trenches or, where possible, burnt in proper incinerators. The receptacles shall be tarred inside and out as often as is necessary and at least once a quarter."

G. LOCH, MAJOR,
Secretary to the Resident.

1227 (o)—16-1-1930—75—RPB.

The Hon'ble the Resident in Mysore.

Bangalore, the 13th January 1930.

Notification.

Whereas it has been proved to the satisfaction of the Hon'ble the Resident in Mysore that in electrical generating stations the work of persons employed as stokers, ash coolies, turbine drivers and greasers, switch board attendants and pump-men necessitates continuous production for technical reasons.

The Hon'ble the Resident in Mysore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 30 of the Indian Factories Act 1911 (Act XII of 1911), as subsequently amended and as applied to the Civil and Military Station of Bangalore, is hereby pleased to exempt the work executed by the aforesaid persons from the provisions of sections 21, 22 and 28 of the said Act, subject to the following conditions :-

(1) The exemption shall apply only to persons employed on eight hour shifts.

(2) In the case of exemption from section 21, sufficient time (though not a fixed period) to the satisfaction of the Inspector of Factories shall be allowed for meals.

(3) In the case of exemption from section 22, no person shall be allowed to work consecutively for fourteen days without a holiday for a whole day.

(4)

(4) In the case of exemption from section 28, the overtime for which any person is employed in a factory shall not, except in exceptional circumstances, details regarding which shall be immediately reported to the Inspector be such as to make the hours of work exceed twelve in any one day and shall not occur more than once in three weeks.

Major,
SECRETARY TO THE RESIDENT.

ø 9/11/30

To be published in the Residency Orders.

To *
The District Magistrate, Civil and Military Station, Bangalore, with reference to his endorsement No.2570-B-29, dated the 30th May, 1929.

*(with 50 spare copies).
Sup a 22/11/30.

ø 75 copies of the notification to be printed.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 10, dated Bangalore, the 13th January 1930.

Whereas it has been proved to the satisfaction of the Hon'ble the Resident in Mysore that in electrical generating stations the work of persons employed as stokers, ash coolies, turbine drivers and greasers, switch board attendants and pump-men necessitates continuous production for technical reasons.

The Hon'ble the Resident in Myore, in exercise of the powers conferred by clause (c) of sub-section (1) of section 30 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended and as applied to the Civil and Military Station of Bangalore, is hereby pleased to exempt the work executed by the aforesaid persons from the provisions of sections 21, 22 and 28 of the said Act, subject to the following conditions:—

(1) The exemption shall apply only to persons employed on eight hour shifts.

(2) In the case of exemption from section 21, sufficient time (though not a fixed period) to the satisfaction of the Inspector of Factories shall be allowed for meals.

(3) In the case of exemption from section 22, no person shall be allowed to work consecutively for fourteen days without a holiday for a whole day.

(4) In the case of exemption from section 28, the overtime for which any person is employed in a factory shall not, except in exceptional circumstances, details regarding which shall be immediately reported to the Inspector be such as to make the hours of work exceed twelve in any one day and shall not occur more than once in three weeks.

G. LOCH, MAJOR,
Secretary to the Resident.

1227 (c)—16-1-1930—75—RPB.

Ref. No. 5739-A-29.

Office of the Collector and Dt. Magistrate,
Civil and Military Station, Bangalore.

Dated 8th January 1930.

On 21.1.30
CAS

FROM

G. H. Cooke, Esq., M. C., I. C. S

COLLECTOR AND DISTRICT MAGISTRATE,
CIVIL AND MILITARY STATION,
BANGALORE,

To

The Secretary to the Resident
in Mysore, Bangalore.

RESIDENT'S OFF.
BANGALORE.
Register No. 425
Date of Receipt 13-1-30
File No.

SIR,

Factories amended rules 1924.

The Manager, Government of India Central Publication Branch, Calcutta, has forwarded six copies of the Station Factories amended rules 1924. Two copies of these have been retained by the Inspector of Factories. Kindly let me know if you require two out of the remaining four copies. Their cost is Rs.7-5-0.

I have the honour to be,
Sir,
Your most obedient servant,

COLLECTOR & D. M.

11 JAN 1930

75

DEPARTMENT. File No.

BRANCH. Serial No.

Draft Letter / Memorandum / Telegram

Class for telegrams — Ordinary / Express / Urgent* / Priority / Clear Line† — *Only for Foreign Telegrams — †Not for Foreign Telegrams.

To be issued on | Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading :

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams)

† S.N. 74 (5.6.26)

No. 728 Dated 24/1/ 1930

From

Secretary

To

The Collector and District Magistrate,

C & M Station, Bangalore.

(V)

The Bangalore C & M Station Factories (Amended) Rules, 1924.

Sir,

I am directed to refer to your† letter Ref.No.5739-A-29, dated the 8th ~~February~~ January, 1930, and to inform you that copies of the Rules are not required.

I have etc.

24/1/30

for Secretary to the Resident.

CAS. 22/1/30

MGIPC—SL—1331(GI)DCF—(G-502)—17-8-28—40,000 Pads.

76

DEPARTMENT. File No.

BRANCH. Serial No.

Draft Letter / Memorandum / Telegram

Class for telegrams: Ordinary / Express / Urgent* / Priority / Clear Line† — *Only for Foreign Telegrams. †Not for Foreign Telegrams.

To be issued on Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading:

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

No. 729 Dated 24/11/1930.

From 2nd 4

To The Resident.

The Secretary to the Government of India,
Department of Industries and Labour.

Subject: An amendment in the Rules under the Indian Factories Act, 1911, as applied to the C & M Station, Bangalore, and Notification exempting the work of a certain class of persons from the provision of certain sections of the Act.

Sir,

I have the honour to refer to the late Mr. Crump's letter No. 4761, dated the 15th May, 1928, and to forward, for information, two copies each of my Notification No.9, dated the 13th January, 1930, making an amendment in the above Rules and my Notification No.10, dated the 13th January, 1930, exempting the work of a certain class of persons from the provisions of Sections 21, 22 and 28 of the Indian Factories Act, as applied to the C & M Station of Bangalore.

2. The amendment referred to in my Notn. No.9, dated the

S. 5.
MGIPC—S1—1331(G1)DCF—(G-502)—17-8-28—40,000 Pads.

13th January,1930, was published as required by Section 39 of the said Act.

I have etc.,

for R E S I D E N T.

Original in Coorg Office file 103/19.

Letter No.L943, dated the 12th February 1930, from the Secretary to the Government of India, Department of Industries and Labour, New Delhi, to the Chief Commissioner, Coorg.

Subject:- Appointment of Women Factory Inspectors.

I am directed to refer to the concluding portion of paragraph 8 of this Department's letter No.L.943, dated the 5th April 1921, and to enclose, for information and such action as may be considered necessary, a copy of a resolution on the above subject passed at the Biennial (All-India) Meeting of the National Council of Women in India held in Calcutta on the 16th December 1929.

Copy to R.O.

77
a

Enclosure.

Resolution passed at the Biennial (All-India) Meeting of the National Council of Women in India held in Calcutta on the 16th December 1929, regarding Appointment of Women Factory Inspectors.

That in view of the need in this country for improvement in the general condition of Women in Industry, the National Council of Women in India strongly urges upon the Government of India the necessity of appointing salaried Women Factory Inspectors, and Welfare Workers in all Industrial areas where women are employed.

[R.O.106(a).]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE ENT IN MYSORE,

Bangalore, 3/1930

No. 2/59 Enclos. /

S.N.77 (P.W.S.)

A copy of the marginally* noted letter, ~~with~~ enclosure, is forwarded to the Collector, C & M Station, Bangalore, for favour of remarks.

*No. L943, dated the 12th February, 1930, from the Govt. of India, Dept. of Industries & Labour

2. A copy of letter No.L.943, dated the 5th April, 1921, from the Govt. of India in the Department of Industries, referred to was forwarded with endt. No.1498/103-19, dated the 20th April, 1921, from the Secretary to the Chief Commissioner of Coorg.

S.N.66 Coorg Fl. 103-99

S.N.67

1212—16-3-1929—5,000—RPB.

for Secretary to the Resident.

7/8/30

7/3

Ref Fl. 103 10/3/30

10/3 9/N/3 7/3/31

Sectt. II-14—3,500—2-12 29. V9/1915

GOVERNMENT OF MADRAS

FORT ST. GEORGE,

19th March 1930

79

From

S.V. Ramamurty Esq., I.C.S.,

SECRETARY TO THE GOVERNMENT OF MADRAS,
Development DEPARTMENT.

To

THE Hon'ble the Resident in Mysore,

Bangalore.

3153
21/3/30
224/28

SIR,

I am directed to forward the enclosed proceedings of the Madras Government, No. 300 dated the 11th February 1930.

I have the honour to be,
Sir,
Your most obedient servant,

S Ramamurty 19.3.

for Secretary.

2. The Superintendent, Government Press, is also requested to supply the Senior Translator to Government with six copies of the notification.

(By order of the Governor in Council.)

S. V. RAMAMURTI,
Secretary to Government.

To the Commissioner of Labour.
" Commissioner of Police.
all District Magistrates.
the Director of Public Health (through Local Self-Government Department).
" Local Self-Government (Public Health) Department.
" Law (Drafting) Department.
" Superintendent, Government Press (for publication of notification).
" Senior Translator to Government (through Law Legislative Department).
Copy to the Government of India, Department of Industries and Labour. } with C.L.
" " Hon'ble the Resident in Mysore, Bangalore. }
" " Officer in charge of Medical Store Depot, Madras.

~~Forwarded to the~~ (One copy)
(~~By order~~)

with a Sd.

Superintendent.

APPENDIX.

Notification.

The following draft of certain amendments to the Madras Factories (Amended) Rules, 1923, published with the notification of the Local Government in the Development Department No. 246, dated 28th August 1923, at pages 992 to 1007 of Part I of the *Fort St. George Gazette*, dated 11th September 1923, as amended up-to-date, which the Governor in Council proposes to make in exercise of the powers conferred by clause (*h*) of sub-section (2) of section 37 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, read with section 21 of the General Clauses Act, 1897 (X of 1897), is hereby published as required by sub-section (1) of section 39 of the first-mentioned Act for general information. Under sub-section (2) of section 39 of the said Act, notice is hereby given that the said draft will be taken into consideration on or after the expiry of three months from the date of publication of this notification. Any objections or suggestions which may be received from any person with respect to the said draft before the date aforesaid will be considered by the Governor in Council. Objections and suggestions should be sent to Government through the Commissioner of Labour.

Draft Amendments.

1. For sub-rule (1) of rule 25 of the said rules the following rule shall be substituted, namely :—

"The occupier of every factory shall provide latrines within the precincts of the factory in an accessible place detached from the other factory buildings. If females are employed, separate latrines screened from those for males and marked in the vernacular in conspicuous letters "For women only" shall be provided. Those for males shall be similarly marked "For men only". The accommodation for both males and females shall be on such scale as may be laid down in the case where the factory is situated in a municipal area by the municipality concerned and in other cases by taluk board in non-union areas and the union board in union areas, provided that it shall not in any case fall short of the following scale :—

FLUSH-OUT SYSTEM OF LATRINES.

A. Males.—If separate urinals are provided—

(i) in the case of factories where the number of operatives is not more than 100, one seat for every 25 operatives or fraction thereof ;

(ii) in the case of factories where the number of operatives is more than 100 one seat for every 25 for the first hundred operatives and one seat for every 40 thereafter or fraction thereof.

If separate urinals are not provided, a flat scale of one seat for every 25 operatives or fraction thereof.

B. Females.—One seat for every 25 operatives or fraction thereof irrespective of the number employed and of the fact whether separate urinals are provided or not.

NON-FLUSH-OUT SYSTEM OF LATRINES.

A. Males.—(i) where the number of operatives does not exceed 50, three seats ;

(ii) where the number of operatives exceeds 50, one seat for every 20 operatives or fraction thereof.

B. Females.—Same scale as that for males.

2. Rule 26 of the said rules shall be omitted.

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 300, 11th February 1930

Factories—Madras Factories Rules—Rules 25 (i) and 26—Draft amendments—Published.

READ—the following paper:—

Letter from J. GRAY, Esq., O.B.E., I.C.S., Commissioner of Labour, to the Secretary to Government, Development Department, dated Madras, the 2nd December 1929, R. Dis. No. 4948/29.

In rule 25 (i) of the Madras Factories Rules regarding latrine accommodation in registered factories no distinction is made between the flush-out and the non-flush-out system of latrines in regard to the minimum scale of seats to be provided. The Director of Public Health suggests that such a distinction should now be made. He is of opinion that as work in most factories is started at an early hour the operatives have necessarily to resort to the latrines in the factory premises and that the minimum scale at present in force is unduly low where non-flush-out latrines are provided and requires revision. He suggests the adoption of the following scale which so far as flush-out latrines are concerned is more or less in accordance with the practice in England.

Flush-out system of latrines—A. Males.—If separate urinals are provided—

(i) in the case of factories where the number of operatives is not more than 100, *one seat* for every 25 male operatives or fraction thereof;

(ii) in the case of factories employing more than 100 male operatives, one seat for every 25 for the first hundred male operatives and one seat for every 40 thereafter or fraction thereof.

2. If separate urinals are not provided a flat scale of one seat for every 25 persons.

B. Females.—One seat for every 25 persons irrespective of the number employed and of the fact whether separate urinals are provided or not.

Non-flush-out system of latrines—A. Males.—(i) Where the number of male operatives does not exceed 50, three seats;

(ii) where the number of male operatives exceeds 50, one seat for every 20 or fraction thereof.

B. Females.—Separate accommodation for women to be provided on the same scale as that for males.

3. The Chief Inspector of Factories is of opinion that the scale suggested by the Director of Public Health is rather high, though good from a sanitary point of view. He also states that some factories already on the register and employing more than 250 persons will have to provide additional seats if these new rules are approved by Government.

4. I have the honour to recommend that the scale suggested by the Director of Public Health may be adopted.

Order—No. 300, Development, dated 11th February 1930.

The Superintendent, Government Press, is requested to publish the appended notification in English and in the vernaculars, in three successive issues of the *Fort St. George Gazette.* The Commissioner of Labour is requested to forward to Government with his remarks any objections or suggestions that are received by him up to 19th May 1930.

Development Department.

Fort St George,
22nd March, 1930.

From

S.V.Ramamurti Esquire, I.C.S.,
Secretary to Government,

3287
24/3/30
224
28

To

The Hon'ble the Resident in Mysore,
Bangalore.

Sir,

I am directed to forward the enclosed proceedings of this Governmant No. 251 Dev., dated 5th February, 1930.

I have the honour to be,
Sir,
Your most obedient servant,

Ramamurti
for Secretary

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 251, 5th February 1930

Factories—Madras Factories Rules—Rule 67—Draft amendment—Published.

READ—the following paper :—

Letter from J. GRAY, Esq., O.B.E., I.C.S., Commissioner of Labour, Madras, to the Secretary to Government, Development Department, dated 3rd December 1929, No. D-1-5404/29.

The Chief Inspector of Factories points out that when rule 67 of the Madras Factories Rules was framed in 1923—vide G.O No. 37, Development, dated 6th January 1923, there was no provision in the Indian Factories Act by which factory managers could be permitted to maintain muster rolls for their employees in lieu of the register of workers (in Form D) prescribed by section 35 of the Act, and that it was then found necessary, for the efficient administration of the provisions of section 31 of the Act relating to overtime pay, to insist on the maintenance by factory managers of a muster roll for exempted persons. But the second proviso to section 35 inserted by the Amending Act of 1926, empowers an Inspector to accept any register or muster which gives the information required in the prescribed register (in Form D). If such muster roll or register contains also the information required by Form P of the Madras Factories Rules (as according to the Chief Inspector of Factories, it does in many cases) it is obviously unnecessary to insist on a separate muster roll in Form P in addition to the register or muster roll maintained in the place of the prescribed register in Form D. But rule 67 makes no provision for exemption even in such cases, and I have the honour to request therefore that the following proviso may be added to this rule to empower the Inspector of Factories to exempt factories from the provisions of this rule in appropriate cases :—

"Provided that where in his opinion the information required by this rule can be obtained from the general register of workers maintained by the factory, the Inspector of Factories may, for special reasons to be recorded in writing, relax the provisions of this rule to such extent as may be necessary."

Order—No. 251, Development, dated 5th February 1930.

The Superintendent, Government Press, is requested to publish the appended notification in English and in the Vernaculars in three successive issues of the *Fort St. George Gazette*. The Commissioner of Labour is requested to forward to Government with his remarks any objections or suggestions that are received by him up to 12th May 1930.

2. The Superintendent, Government Press, is also requested to supply the Senior Translator to Government with six copies of the notification.

(By order of the Governor in Council)

S. V. RAMAMURTI,
Secretary to Government.

To the Commissioner of Labour.
" the Commissioner of Police.
" all District Magistrates.
" the Director of Public Health (through Local Self-Government Department).
" the Local Self-Government (Public Health) Department.
" the Law (Drafting) Department.
" the Superintendent, Government Press (for publication of notification).
" the Senior Translator to Government.
Copy to the Government of India, Department of Industries and Labour (with C.L.).
" Hon'ble the Resident in Mysore, Bangalore (with C.L.).
" Officer-in-charge of Medical Store Depot, Madras.

[Appendix

(One Copy)

Superintendent

with a S.C

APPENDIX.

NOTIFICATION.

The following draft of an amendment to the Madras Factories (Amended) Rules, 1923, published with the notification of the Local Government in the Development Department No. 246, dated 28th August 1923, at pages 992 to 1007 of Part I of the *Fort St. George Gazette*, dated 11th September 1923, as amended up to date, which the Governor in Council proposes to make under sub-section (1) of section 37 of the Indian Factories Act, 1911 (Act XII of 1911), as subsequently amended read with section 21 of the General Clauses Act, 1897 (X of 1897) is hereby published as required by sub-section (1) of section 39 of the first-mentioned Act for general information. Under sub-section (2) of section 39 of the said Act, notice is hereby given that the said draft will be taken into consideration on the expiry of three months from the date of publication of this notification. Any objections or suggessions which may be received from any person with respect to the said draft before the date aforesaid will be considered by the Governor in Council. Objections and suggessions should be sent to Government through the Commissioner of Labour.

DRAFT AMENDMENT.

To rule 67 of the said rules, the following proviso shall be added, namely :—

"Provided that, where in the opinion of the Inspector a muster roll or register kept in a factory gives the particulars required under this rule, he may, for reasons to be recorded in writing, direct that such muster rollor register shall be kept in place of the muster roll prescribed under this rule and such muster roll or register shall, thereupon, for the purposes of this rule, be deemed to be the muster roll so prescribed."

[R.O.106(a).]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 31/3/ 1930

No. 2853 Enclos. 2

A copy of the marginally* noted papers, with enclosure, is forwarded to the District Magistrate, C & M Station Bangalore, for information.

*Proceedings No.s. 251 & 300; dated the 5th February & 11th February, 1930 respectively from the Govt. of Madras, Development Department.

Secretary to the Resident.

27/3/30

1212—16-3-1929—5,000—RPB.

89

Letter No.Fac.R.C.1/30 dated the 25th March 1930 from the Inspector of Factories, Civil & Military Station, Bangalore to the Collector & District Magistrate, Civil and Military Station, Bangalore.

3696
2/4/30

Subject:- Appointment of Women Factory Inspectors. 224
Reference:- Your endorsement No.1227-B-30 dated 15-3-30

There are at present 25 factories in the Civil and Military Station of Bangalore employing 2148 men and 817 women in all. The Tobacco Manufacturers (India) Ltd., Bangalore is the only factory that employs women. This firm has arranged for Sanitary and Child Welfare by having a dispensary within its compound where first aid is given and also by employing a nurse to look after the children of the women employed in the factory.

The Superintendent of Excise, Civil and Military Station, functions in addition to his duties as Inspector of Factories and the post carries no salary. Miss Potter of the Church of England Zenana Mission had a personal interview with me on the subject of the welfare of women employed by firms and in factories and was told that the Factory Act does not apply to persons working as attendants or clerks. She was also furnished with a copy of the Factories Amended Rules (1924).

Under these circumstances I consider that the appointment of a separate Woman Factory Inspector for the Station is unnecessary.

No.1227-B-30

Copy forwarded to the Secretary to the Resident in Mysore Bangalore with reference to his No.2109/224-1928 dated 11th March 1930.

S.R. 78

Office of the Collector,
C. & M. Station, Bangalore,
Dated, 29th March 1930.

COLLECTOR.

DESPATCHED
1 APR 1930
3/3

Letter No.Fac.R.C.R. 9 of 29,dated the 15th April 1930, from the Inspector of Factories, Civil and Military Station, Bangalore, to the District Magistrate, Civil and Military Station, Bangalore.

Subject:- Indian Factories Act - Rules - Amendment.

Reference:- Hon'ble the Resident's Notifications dated 13-1-30 communicated with your endorsement Nos. 248-B-30, 249-B-30 and 280-B-30 dated 23-1-30 and 27-1-30 respectively.

Copies of the above Notifications in which notice was given under Section 39(2) of the Act that it is proposed to amend certain Rules of the Station Factories Amended Rules, were sent to the Managers of Factories in the Station and they were asked to prefer objections or make suggestions, if any, in respect of the proposed amendments to the Inspector of Factories before 15-4-30.

2. As no objections have been received the Secretary to the Resident may be addressed to the effect that the draft Notification (copy enclosed) may be issued as final.

--

No.2067-B-30.

Copy forwarded to the Secretary to the Resident in Mysore, Bangalore, for favour of necessary action with reference to Resident's Notification Nos. 6,7,& 8 dated 13-1-30.

Office of the Dt.Magistrate,
C. & M. Station, Bangalore,
Dated, 1st May 1930.

for DISTRICT MAGISTRATE

DESPATCHED
3 - MAY 1930

NOTIFICATION.

In exercise of the powers conferred by ~~Sections 37(1) and 37 (2) (b)~~ (Sub-section (1) and clause (b) of Section 37) of the Indian Factories Act, 1911, as amended, and as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following amendments to Rules 55, 56, 57 ~~and~~ 57A (58, 59, 63 and 64) of the Bangalore Civil and Military Station Factories (Amended) Rules, 1924, published in ~~the Hon'ble the Resident's~~ Notification No.9, dated Bangalore, the 25th January 1924, as subsequently amended.

AMENDMENTS.

For the existing Rules 55 and 57, substitute:-

55(1) On receiving a request from not less than one quarter of the adult employees in any branch or department or work in any factory asking that the provisions of sub-clause (ii) of clause(a) of Sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that a majority of them desire that the provisions of the said sub-clause should apply, he shall record the fact in the inspection book under his signature and direct that the hours of rest shall be fixed accordingly under the said sub-clause.

(ii) The procedure prescribed in Sub-rule (i) shall be followed where the employees concerned desire that the provisions of the said sub-clause shall no longer apply to them.

For the existing Rule 57-A, substitute:-

56(1). On receiving a request from not less than one quarter of the adult male employees in any branch or department of work in any factory asking that the provisions of the proviso to clause (a) of sub-section (1) of Section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that all of them desire that the provisions of the said proviso should apply, he [shall] send to the Local Government through the District Magistrate, a report of such request together with an application signed by all such employees. If the Local Government sanctions such request, it shall communicate

communicate the order of sanction to the District Magistrate who shall transmit the same to the Inspector and the latter shall communicate it under his signature to the factory. Such order shall be posted in the inspection book.

(2) The procedure prescribed in Sub-rule(1) shall also be followed where the employees desire that the provisions of the said proviso shall no longer apply to them

For the existing Rule 56, substitute:-

57. In the absence of the entry signed by the Inspector under Sub-rule 1 of Rule 55 or of an order under Sub-rule (1) of Rule 56 in the inspection book, or when such an entry or order has ceased to be in force the provisions of sub-clause (1) of clause (a) of Sub-section (1) of Section 21 shall apply to the factory.

II. Notification.

In exercise of the powers conferred by Sections 37(1) and 37(2)(b) of the Indian Factories Act, 1911, as amended and applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following amendments to Rules 58, 63, 64 and 59 of Bangalore Civil and Military Station Factories (amended) Rules, 1924, published in the Hon'ble the Resident's Notification No.9, dated Bangalore, the 25th January 1924. as subsequently amended.

AMENDMENTS

(1) Delete Rules 58, 63 and 64 of the said Rules.

(2) For Rule 59 of the existing rule, substitute:-

59. Where the Local Government exempt any factory from the provisions of Section 22 of the Act on condition that provision shall be made in such factory for compensatory periods of rest, such periods of rest shall be entered in Form J.

Secretary to the Resident.

Letter No.Fac.R.C.R.2/30 dated 29th April,1930 from the Inspector of Factories, Civil & Military Station Bangalore, to the District Magistrate, Civil & Military Station, Bangalore.

Subject:- Indian Factories Act - Bangalore C & M Station Factory Rules 1924 - proposed amendments.

Reference:- Your endorsement No.1635-R-30 dated 5th April 1930 and Residency endorsement No.2853/224/1928 dated 31-3-30 on Madras G.O. Nos.251 dated 5-2-30 and 300 dated 11-2-30.

S.IV.80(a)

In the Draft Notification (No.251 dated 5-2-30) of the Madras Government issued under Section 37 (1) of the Indian Factories Act, received with the above endorsements, it is proposed to amend Rule 67 of the Madras Factories Rules. Rule 66 of the Station Factory Rules corresponds with the aforesaid Madras Rules.

(V)

S.IV.28(a)

(F)

The second proviso to Section 35 of the Act empowers the Inspector to accept any register or muster which gives the information required in the prescribed register in Form 'D'. If such muster roll or register contains also the information required by form 'P' of the Station Factory Rule 66, it is obviously unnecessary to insist on a separate muster roll in form 'P' in addition to the register or muster roll maintained in the place of the prescribed register in form 'D'. But the existing rule 66 of the Station Factory Rules, which corresponds to rule 67 of the Madras Rules, makes no provision for exemption in such cases.

(C)

S.IV.79(a)

In the Draft Notification (G.O.No.300 dated 11-2-30) of the Madras Government, it is also proposed to amend Rules 25(1) and 26 of the Madras Rules which correspond to Rules 24 and 25 of the Station Rules. In Rules 24 and 25 of the Station Rules no distinction is made between the flush out and the non-flush-out system of latrines in regard to the minimum scale of seats to be provided. The minimum scale at present being considered low, where non-flush-out latrines are provided, such scale

scale requires revision and a distinction between a flush-out and non-flush-out system of latrines should be made, as work in factories, if started at an early hour, the operatives have necessarily to resort to the latrines in the factory premises.

3. Draft Notifications for the proposed amendments of the above Rules in conformity with the Madras Rules are put up for consideration.

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
17 MAY 1930
Regd. No. 5281
File No.

Ref. No.2154-B-30.

Copy with copy of the enclosure forwarded to the Secretary to the Resident in Mysore, Bangalore, for favour of necessary action, with reference to his No.2853/224-1928 dated 31-3-1930.

S.M. 81

Office of the Dt. Magistrate
Civil & Military Station
Bangalore, 13th May 1930

15.V.30
DISTRICT MAGISTRATE

DESPATCHED
16 MAY 1930

NOTIFICATION.

In exercise of the powers conferred by Sections 37(1) and 37 (2) (h) of the Indian Factories Act, 1911 (XII of 1911), as amended and applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore proposes to make the following amendments to Rules 66, 24 and 25 of the Bangalore Civil and Military Station Factories (Amended) Rules 1924, published with the Hon'ble the Resident's Notification No.9, dated Bangalore the 25th January 1924 as subsequently amended.

The draft of the proposed amendments is published as required by Section 39 (1) of the said Act for the information of all persons likely to be affected thereby and under Section 39 (2) of the Act, notice is hereby given that the said draft will be taken into consideration ~~on or after the expiry of three months from the date of publication of this notification~~ on or after 15th Sept 1930. Any objection or suggestions thereto should be sent to the Inspector of Factories before that date.

DRAFT AMENDMENTS.

I. To rule 66 of the said rules the following proviso shall be added:-

> "Provided that, where in the opinion of the Inspector a muster roll or register kept in a factory gives the particulars required under this rule, he may, for reasons to be recorded in writing, direct that such muster roll or register shall be kept in place of the muster roll prescribed under this rule and such muster roll or register shall, thereupon for the purposes of this rule, be deemed to be the muster roll so prescribed".

II. Substitute the following for Rule 24 of the said Rules

> The occupier of every factory shall provide latrines of a design approved by the Health Officer within the precincts of the factory in an accessible place detached from the other factory buildings. If females are employed, separate latrines screened from those for males and marked in the verancular in conspicuous letters "For Women only" shall be provided. Those for the males shall be similarly marked "For Men only". The accommodation for both males and females shall be on such a scale as may be laid down by the Municipal authority provided that it shall not in any case fall short of the following

following scale:-

Flush-out system of latrines.

A. Males.- If separate urinals are provided.

(i) in the case of factories where the number of operatives is not more than 100, one seat for every 25 operatives or fraction thereof.

(ii) in the case of factories where the number of operatives is more than 100 one seat for every 25 for the first hundred operatives and one seat for every 40 thereafter or fraction thereof.

If separate urinals are not provided, a flat scale of one seat for every 25 operatives or fraction thereof.

B. Females.- One seat for every 25 operatives or fraction thereof irrespective of the number employed and of the fact whether separate urinals are provided or not.

Non-flush-out system of latrines.

A. Males.- (1) where the number of operatives does not exceed 50, three seats.

(ii) Where the number of operatives exceeds 50, one seat for every 20 operatives or fraction thereof.

B. Females.- Same scale as that for males.

III. Delete Rule 25 of the said Rules.

Secretary to the Resident.

Copy

15.5

Sheristadar

85

THE HON'BLE THE RESIDENT IN MYSORE.

No. 90 Bangalore, the 21st August, 1930.

Notification.

In exercise of the powers conferred by sub-section (1) and clause (b) of sub-section (2) of section 37 of the Indian Factories Act, 1911, as amended, and as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following amendments to Rules 55, 56, 57, 57A, 58, 59, 63 and 64 of the Bangalore Civil and Military Station Factories (Amended) Rules, 1924, published in his Notification No.9, dated Bangalore, the 25th January 1924, as subsequently amended :-

Amendments.

For the existing Rules 55 and 57, substitute :-

55(i) On receiving a request from not less than one quarter of the adult employees in any branch or department or work in any factory asking that the provisions of sub-clause (ii) of clause (a) of sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfi that a majority of them desire that the provisions of the said sub-clause should apply, he shall record the fact in the inspection book under his signature, and direct that the hours of rest shall be fixe accordingly under the said sub-clause.

(ii) The procedure prescribed in sub-rule (i) shall be followed where the employees concerned desire that the provisions of the said sub-clause shall no longer apply to them.

For the existing Rule 57A, substitute :-

56(1). On receiving a request from not less than one quarter of the adult male employees in any branch or department or work in any factory asking that the provisions of the proviso to clause (a) of sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfie that all of them desire that the provisions of the said proviso shou apply, he shall send to the Local Government through the District Magistrate, a report of such request together with an application signed by all such employees. If the Local Government sanctions

such request, it shall communicate the order of sanction to the District Magistrate, who shall transmit the same to the Inspector and the latter shall communicate it under his signature to the factory. Such order shall be posted in the inspection book.

(2) The procedure prescribed in sub-rule (1) shall also be followed where the employees desire that the provisions of the said proviso shall no longer apply to them.

For the existing Rule 56, substitute :-

57. In the absence of the entry signed by the Inspector under sub-rule 1 of Rule 55 or of an order under sub-rule (1) of Rule 56 in the inspection book, or when such an entry or order has ceased to be in force the provisions of sub-clause (1) of clause (a) of sub section (1) of section 21 shall apply to the factory.

Delete Rules 58, 63 and 64 of the said Rules.

For Rule 59 of the existing Rule, substitute :-

59. Where the Local Government exempt any factory from the provisions of section 22 of the Act on condition that provision shall be made in such factory for compensatory periods of rest, such periods of rest shall be entered in Form J.

o/c

Major,
SECRETARY TO THE RESIDENT.

To be published in the Mysore Residency Orders.

To

The District Magistrate, Civil and Military Station, Bangalore, with reference to his endorsement No.2067-B-30, dated the 1st May, 1930

S.N. 83

ASE

Sectt. II-14—3,500.- 2-12 29.

FORT ST. GEORGE,
~~OOTACAMUND.~~

23rd June 1930.

From

S.V.RAMAMURTI ESQUIRE, I.C.S.,

SECRETARY TO THE GOVERNMENT OF MADRAS,

DEVELOPMENT DEPARTMENT.

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
25 JUN 1930
Regd. No. 6503
File No. 224/28

To

THE Hon'ble the Resident of Mysore,

Bangalore.

SIR,

I am directed to forward the enclosed proceedings of the Madras Government, No. 1091 Devt., dated the 26th May 1930.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary.

Government of Madras

DEVELOPMENT DEPARTMENT

G.O. No. 1091, 26th May 193(

Factories—Madras Factories Rules—Rule 67—Amendment—Published.

READ—the following papers:—

I

G.O. No. 251, Development, dated 5th February 1930.

II

Letter from J. GRAY, Esq., O.B.E., I.C.S., Commissioner of Labour, to the Secretary to Government, Development Department, dated Madras, the 14th May 1930, D-1 No. 5404/29.

[*Reference.*—G.O. No. 251, Development, dated 5th February 1930.]

I have the honour to report that I have so far received no objections or suggestions in respect of the proposed amendment to rule 67 of the Madras Factories Rules.

Order—No. 1091, Development, dated 26th May 1930.

The Superintendent, Government Press, is requested to publish the appended notification in English and in the vernaculars in the *Fort St. George Gazette.* He is also requested to supply the Senior Translator to Government with six copies of the notification.

2. The Commissioner of Labour is requested to issue the necessary amendments to the Madras Factories Manual.

(By order of the Governor in Council)

S. V. RAMAMURTI,
Secretary to Government.

To the Commissioner of Labour.
" the Commissioner of Police.
" all District Magistrates.
" the Director of Public Health (through Local Self-Government Department).
" the Local Self-Government (Public Health) Department.
" the Law (Drafting) Department.
" the Superintendent, Government Press (for publication of the notification).
" the Senior Translator to Government.

Copy to the Government of India, Department of Industries and Labour (with C.L.).
" Hon'ble the Resident of Mysore, Bangalore (with C.L.).
" Officer in charge of Medical Store Depot, Madras.

~~Forwarded to the~~

(True copy)
~~(By order)~~

Superintendent.

[Appendix

APPENDIX.

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) and clause (*b*) of sub-section (2) of section 37 of the Indian Factories Act, 1911 (Act XII of 1911), as subsequently amended, read with section 21 of the General Clauses Act, 1897 (Act X of 1897), the Governor in Council is hereby pleased to make the following amendment to the Madras Factories (Amended) Rules, 1923, the same having been previously published as required by section 39 of the first-mentioned Act :—

AMENDMENT.

To rule 67 of the said rules, the following proviso shall be added, namely :—

"Provided that, where in the opinion of the Inspector a muster roll or register kept in a factory gives the particulars required under this rule, he may, for reasons to be recorded in writing, direct that such muster roll or register shall be kept in place of the muster roll prescribed under this rule and such muster roll or register shall, thereupon for the purposes of this rule, be deemed to be the muster roll so prescribed."

[R.O. 106 (a).]

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 12th August 1930

No. 6306 Enclos

A copy of the marginally* noted paper ~~letter, with enclosure~~, is forwarded to the Collector C & M Station, Bangalore for information.

G.O. *No. 1091 Devt.
dated the 26th May, 1930
from the Govt of Madras.

for Secretary to the Resident.

1212—16-8-1929—5,000—RPB.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 90, dated Bangalore, the 21st August 1930.

In exercise of the powers conferred by sub-section (1) and clause (b) of sub-section 2 of section 37 of the Indian Factories Act, 1911, as amended, and as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore is pleased to make the following amendments to Rules 55, 56, 57, 57A, 58, 59, 63 and 64 of the Bangalore Civil and Military Station Factories (Amended) Rules, 1924, published in his notification No. 9, dated Bangalore, the 25th January 1924, as subsequently amended :—

AMENDMENTS.

For the existing Rules 55 and 57, *substitute*:—

55. (i) On receiving a request from not less than one quarter of the adult employees in any branch or department or work in any factory asking that the provisions of sub-clause (ii) of clause (a) of sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that a majority of them desire that the provisions of the said sub-clause should apply, he shall record the fact in the inspection book under his signature, and direct that the hours of rest shall be fixed accordingly under the said sub-clause.

(ii) The procedure prescribed in sub-rule (i) shall be followed where the employees concerned desire that the provisions of the said sub-clause shall no longer apply to them.

For the existing Rule 57 A, *substitute*:—

56. (1) On receiving a request from not less than one quarter of the adult male employees in any branch or department or work in any factory asking that the provisions of the proviso to clause (a) of sub-section (1) of section 21 shall apply to them, the Inspector shall ascertain the desire of all such employees. If he is satisfied that all of them desire that the provisions of the said proviso should apply, he shall send to the Local Government through the District Magistrate, a report of such request together with an application signed by all such employees. If the Local Government sanctions such request, it shall communicate the order of sanction to the District Magistrate, who shall transmit the same to the Inspector and the latter shall communicate it under his signature to the factory. Such order shall be posted in the inspection book.

(2) The procedure prescribed in sub-rule (1) shall also be followed where the employees desire that the provisions of the said proviso shall no longer apply to them.

For the existing Rule 56, *substitute*:—

57. In the absence of the entry signed by the Inspector under sub-rule (1) of Rule 55 or of an order under sub-rule (1) of Rule 56 in the inspection book, or when such an entry or order has ceased to be in force the provisions of sub-clause (1) of clause (a) of sub-section (1) of section 21 shall apply to the factory.

Delete Rules 58, 63 and 64 of the said rules.

For Rule 59 of the existing rule, *substitute*:—

59. Where the Local Government exempt any factory from the provisions of section 22 of the Act on condition that provision shall be made in such factory for compensatory periods of rest, such periods of rest shall be entered in Form J.

G. LOCH, MAJOR,
Secretary to the Resident.

326 (1)—3-9-1930—75—BPB.

THE HON'BLE THE RESIDENT IN MYSORE.

No. 91 Bangalore, the 21st August, 1930.

Notification.

In exercise of the powers conferred by sections 37(1) and 37(2)(h) of the Indian Factories Act, 1911, (XII of 1911), as amended and applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident in Mysore proposes to make the following amendments to Rules 66, 24 and 25 of the Bangalore Civil and Militar Station Factories (Amended) Rules, 1924, published with the Hon'ble the Resident's Notification No.9, dated Bangalore the 25th January 1924 as subsequently amended.

2. The draft of the proposed amendments is published as required by section 39 (1) of the said Act for the information of all persons likely to be affected thereby and under section 39 (2) of the Act, notice is hereby given that the said draft will be take into consideration on 1st December, 1930. Any objection or suggestions thereto should be sent to the Inspector of Factories before that date.

DRAFT AMENDMENTS.

I. To rule 66 of the said rules the following proviso shall be added :-

"Provided that, where in the opinion of the Inspector a muster roll or register kept in a factory gives the particulars required under this rule, he may, for reasons to be recorded in writing, direct that such muster roll or register shall be kept in place of the muster roll prescribed under this rule and such muster roll or register shall, thereupon, for the purposes of this rule, be deemed to be the muster roll so prescribed".

II. Substitute the following for Rule 24 of the said Rules :-

"The occupier of every factory ~~factory~~ shall provide latrines of a design approved by the Health Officer within the precin of the factory in an accessible place detached from the other factory buildings. If females are employed, separate latrines screened from those for males and marked in the vernacular in conspicuous letters "For Women only" shall be provided. Those for the males shall be similarly marked "For Men only". The accommodation for both males and females shall be on such a scale as may be laid down by the Municipal authority provided that it shall not in any case fall short of the following scale :-

Flush-out system of latrines.

A. Males - If separate urinals are provided.

(i) in the case of factories where the number of operatives is not more than 100, one seat for every 25 operati

or fraction thereof.

(ii) in the case of factories where the number of operatives is more than 100 one seat for every 25 for the first 100 operatives and one seat for every forty thereafter or fraction thereof.

If separate urinals are not provided, a flat scale of one seat for every 25 operatives or fraction thereof.

B. Females - One seat for every 25 operatives or fraction thereof irrespective of the number employed and of the fact whether separate urinals are provided or not.

Non-flush-out system of latrines.

A. Males. - (i) where the number of operatives does ~~does~~ not exceed 50, three seats.

(ii) Where the number of operatives exceeds 50, one seat for every 20 operatives or fraction thereof.

B. Females.- Same scale as that for males.

III. Delete Rule 25 of the said Rules.

Major
SECRETARY TO THE RESIDENT

To be published in the Mysore Residency Orders.

To

The District Magistrate, Civil and Military Station, Bangalore, with reference to his endorsement No.2154-B-30, dated the 13th May, 1930.

5.IV.31

A.S.B.

No. 6663 Ene3
25.8.30.

87

D R A F T.

From

The Hon'ble the Resident in Mysore

To

The Secretary to the Government of India,

Department of Industries and Labour

AMENDMENTS IN THE RULES UNDER THE INDIAN FACTORIES ACT, 1911, AS APPLIED TO THE CIVIL AND MILITARY STATION OF BANGALORE.

Sir,

S.N.76

I have the honour to refer to Mr. Pears letter No.729, dated the 24th January, 1930, and to forward for information, two copies of my notificati No. 901 dated the 21st August ~~June~~, 1930, making amendments in the above rules.

S.N. 69, 70, 71

The amendments were published as required by section 39 of the said Act.

I have, etc.,

Sd- G Loch. Major
for
RESIDENT.

Kow 31.8.30

VA 11/8

Comptr. Gen 1/9

To.

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
26 SEPT. 1930
Regd. No. 9881
File. No.

THE HON'BLE THE RESIDENT IN MYSORE.

B A N G A L O R E.

Revd. Mother Superior,
Good Shepherd Convent,
C & M Station,
Bangalore. PETITIONER

The Humble memorial of the petitioner abovenamed showeth as follows:-

1. That the Good Shepherd Convent has in their charge 1000 orphans and destitute women

2. That in order to teach them some trade, the Convent authorities have opened out a Printing Press and it has been in existence for ten years.

3. That the press is situated inside the Convent premises and with the exception of the foreman all the persons engaged therein are the orphans from the Convent numbering about 28 and one or two nuns.

4. That on the 1st August 1930, the Inspector of Factories wrote a letter stating that the said Press should be deemed a Factory and wants to bring the Press under the Indian Factories Act XII of 1911. A copy of the said letter is herewith filed and marked "A".

5. Your memorialist begs to state that it will be a great hardship if the said Press is brought under the Factories Act on the following grounds:-

a) That the Press is not a business concern but mainly erected for the purpose of teaching some industries to the orphan girls and the little income that they get out of the same is not sufficient to meet the cost of

maintenance of the orphans working there.

b) That the girls employed therein being mainly grown up orphans, it is not conducive to their future welfare if their names are made public, or be amenable to outside influence.

c) That if the Press is brought under the Factory Act they will have to comply with certain regulations as drinking water and lavatory arrangements attached to the press, which will mean extra expense which the Convent Authorities cannot afford.

d) At present the girls have an up to date lavatory and drinking water arrangements attached to their living premises which is only a minute's walk from the Press.

e) The Press is situated in a well ventilated building and kept absolutely clean.

f) The girls studying there work much less hours than they are required under the Factory Act and further they are never forced to work against their wishes.

g) The Convent authorities have absolutely no objection to the Educational Authorities or to any other Authorities coming to inspect the state of the Press at any time.

h) Under the above circumstances your memorialist prays that you may be pleased to direct the Inspector of Factories not to bring the said Press under the Factory Act and to exempt the same from the said Act.

Mother Mary of St Ignatius

Petitioner.

Bangalore.
Dated.

24th September 1930.

TO.

THE HON'BLE THE RESIDENT IN MYSORE.

BANGALORE

PETITIONER :- Revd. Mother Superior.

Please put up
Exemption if possible
25.9

25/9

Petition.

Reminder I.

Office of the Inspector of Factories,
C & M Station, Bangalore
Dated 1st Sept. 1930.

From:

S.M. Hamilton Esqre.,
Inspector of Factories,
C & M Station,
Bangalore.

To.

Revd. Mother Superior,
Good Shepherd Convent,
Bangalore.

Madam,

I invite your attention to this office notice dated the 1st August 1930 and request that the particulars called for herein may kindly be furnished to this office at an early date.

Sd. S.M. Hamilton.
Inspector of Factories.
2-9-'30.

True Copy.

Mother Mary of St Ignatius
Provincial Superior

Office of the Inspector of Factories
C & M Station, Bangalore
Dated the 1st August 1930

From:

S.M. Hamilton Esquire,
Inspector of Factories,
Civil and Military Station,
B A N G A L O R E.

To:

Revd. Mother Superior,
Good Shepherd Convent,
Civil and Military Station,
B A N G A L O R E.

Madam,

During my recent visit to your printing press, I noticed that more than 20 persons are being employed, and, as such, your premises is deemed as a Factory under the Indian Factories Act (Act XII of 1911) with reference to clause (a) of Sub-Section (3) of Section 2.

You are hereby requested to furnish the following particulars, as required by Rule 71 of the Bangalore Civil and Military Station Factories Amended Rules and also to maintain necessary registers and submit returns in accordance with the instructions contained in the Station Factory Rules, copies of which are available for sale at my office at Rs.4/14/- per copy.

1. Name of the Occupier.
2. Name of Factory.
3. Full postal address of Factory.
4. Nature of moving power.
5. Nature of work carried on.
6. Name of the Manager for the purpose of the Factories Act.

Full signature of the Occupier.

Full signature of the Manager.

Sd/- S.M. Hamilton.
Inspector of Factories.

nic "Copy"

Mother Mary of St Ignatius

No. 9462
26.10.12.30.

From

Secretary

To

Revd Mother Superior,
Good Shepherd Convent,
C & M Station, ~~Banga~~
Bangalore.

Madam,

Pi-2
S.N. 88

With reference to your memorial dated the 24th September, 1930 I am directed to say that the Hon'ble the Resident regrets that there is no provision in the Indian Factories Act 1911, (Act XII of 1911), under which ~~xx xxx xxxxx~~ your request for the total exemption of the Printing Press in the Convent, from the provisions of th Act, can be granted, but that he will be prepared to consider any application submitted through the proper channel i.e. the Inspector of Factories, C & Station, Bangalore, for any exemptions relating to sanitary arrangements, et which are permissible under the Act which the Convent authorities may consider to b necessary

(F)

I have etc.

for Secretary to the Re

Effd KE 9/12

Rect 29/12

ICW 29-12-30